

Sr. 37
16-08-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 2491 of 2018

In the matter of : Himadri Sekhar PaulPetitioner.

In Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Uday Shankar Chattopadhyay
.....for the petitioner.

Mr. Chattopadhyaya, learned advocate appearing for the petitioner submits that the learned court below granted exorbitant amount by way of interim maintenance thereby awarding Rs.8000/- per month to the wife/opposite party and Rs.6000/- to the minor daughter.

Records reflect that at the time of admission of the revisional application a co-ordinate Bench of this court was pleased to modify the interim maintenance amount to the extent that the petitioner should pay Rs.7,500/- per month to the opposite party/wife and Rs.5,500/- per month in favour of the minor child.

The order under challenge is in respect of an award of interim maintenance which was passed as a measure

during the final adjudication of the proceedings under Section 125 of the Code of Criminal Procedure.

Having due regard to the amount which has been directed to be paid by the order dated 14th September, 2018 i.e., Rs.7500/- per month to the wife and Rs.5,500/- per month to the minor child, I am of the view that the same is substantial amount by way of interim measure which was taken care of by a co-ordinate Bench of this court. Accordingly, the said order is made absolute.

The petitioner is directed to pay the said amount as directed earlier in the order dated 14th September, 2018 until and unless the learned Magistrate arrives at a final determination of the award while disposing of the application under Section 125 of the Code of Criminal Procedure.

Needless to state that the learned Magistrate would independently consider the circumstances and the quantum for arriving at his finding without being swayed by any observation of this court in this revisional application.

With the aforesaid observation, the revisional application being CRR 2491 of 2018 is disposed of.

All pending applications, if any, are consequently disposed of.

Learned Magistrate is directed to take efforts for concluding the proceedings under Section 125 of the Code of Criminal Procedure without granting any unnecessary adjournment to either of the parties. The learned Magistrate

would within a reasonable time take the case to its logical conclusion.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)