

23.09.2021  
Ct No. 34  
SL. No. 4  
Rakib (PA)

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

**CRR 3117 of 2012**

In the matter of : Sri Some Nath Patra .....petitioner.

In Re: An application under Section 401 read with Section 482 of the Code of Criminal Procedure.

The present revisional application was preferred challenging the order dated 29.05.2012 passed by the learned Judicial Magistrate, Second Court, Durgapur in Misc. Case No. 248/2009 (TR 70/09). The order dated 29.05.2012 is the final order in respect of the proceeding under Section 125 of the Code of Criminal Procedure wherein the learned Magistrate on an appreciation of the evidence was pleased to come to a conclusion that the present petitioner being the husband was to pay maintenance to the wife/opposite party. The learned Magistrate after the consideration of the evidence as well as the capacity of the husband, arrived at a conclusion and awarded a sum of Rs.2,500/- per month to the wife and

Rs.2,500/- per month to the minor school going daughter, aggregating to a sum of Rs.5,000/- per month to be paid.

Having regard to the quantum which was awarded by way of maintenance by the learned Magistrate, I am of the opinion that the sum is a meagre amount and do not call for any interference.

Accordingly, order passed by the learned Magistrate is affirmed. Consequently, CRR 3117 of 2012 is dismissed.

Pending application, if any, consequently disposed of. Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**