

Sr. 25
16-07-2021
Subha.
Court no. 34

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

CRR 3181 of 2012

In Re : **Nur Islam Sk.**

.....Petitioner.

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

The present revisional application has been preferred by the husband against the judgement and order dated 13th March, 2012 passed by the learned Judicial Magistrate, 1st Class, 3rd Court, Berhampore, Murshidabad in Misc. Case No. 67 of 2002.

The background of the case relates to an application under Section 125 of the Code of Criminal Procedure wherein in respect of M. R. Case No. 9 of 1994 the wife/opposite party was awarded Rs.400/- per month and the minor daughter was awarded Rs.200/- per month. Subsequently, a prayer under Section 127 of the Code of Criminal Procedure was advanced before the learned Magistrate for enhancement of the said amount so awarded. The learned Magistrate on an appreciation of the evidence so

advanced by the parties was pleased to enhance the maintenance amount by modifying the same to the extent of enhancing the quantum to Rs.3000/- per month to the wife and Rs.2000/- per month to the daughter till her marriage.

At the time of admission of the present application, a co-ordinate Bench of this court was pleased to direct the petitioner/husband to pay monthly maintenance of Rs.4000/- by way of a consolidated amount to the wife as well as to the daughter.

Having regard to the fact that the said order was passed in the year 2012 after taking into consideration all the aspects and the proportion of enhancement, the said amount of Rs.4000/- is made absolute i.e., Rs.2000/- per month to the wife and Rs.2000/- per month to the daughter till her marriage provided the same in the meantime has not been altered by the learned Judicial Magistrate.

With the aforesaid observations, the present revisional application being CRR 3181 of 2012 is disposed of.

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

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

(Tirthankar Ghosh, J.)