

Sr.200
30-09-2021
Subha.
Court no. 34

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

**CRR 4086 of 2017
CRAN 4576 of 2019**

In the matter of : Mustak Ahamedpetitioners.

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

Ms. Pampa Dey(Dhabal)
.....for the opposite party no.1.

The revisional application was preferred against the order dated 13.11.2017 passed by the learned Additional Sessions Judge, 2nd Court, Krishnanagar, Nadia in Criminal Motion No. 87 of 2016 wherein the learned Sessions Court while exercising its revisional jurisdiction was pleased to affirm the order 28.01.2016 passed by the learned Judicial Magistrate, 5th Court, Krishnangar, Nadia in Misc. Case No. 88(iv) of 2014.

By the same order, the learned Sessions Court was pleased to enhance the amount to the tune of Rs.10,000/- per month to be paid from the date of the passing of the order dated 28-01-2016.

The main thrust of contention of the petitioner is with regard to the proceedings under Section 125 of the Code of Criminal Procedure not being maintainable in view of the opposite party/wife exhausting the provisions of Muslim Women(Protection of Rights on Divorce) Act, 1986.

Having regard to the purpose for which separate legislation have been enacted by the legislature, I am of the view that the contention so advanced by the petitioner is not acceptable. The other reasons are on question of facts which have been appreciated by the learned Magistrate as well as the learned Sessions Court. No fresh issue has been raised on any point of law for invoking the jurisdiction of this court under Section 482 of the Code of Criminal Procedure.

Accordingly, no interference is called for by this court.

As such, the present revisional application being CRR 4086 of 2017 is dismissed.

All pending applications, if any, in connection with revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)