

D/L78
26.09.2022
Bpg.

C.R.R.28 of 2021
With
CRAN 1 of 2021

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Ahijit Mondal @ Avijit Mondl
Versus
Sampa Mondal

The revisional application has been preferred challenging the judgment and order dated 24th September, 2020 passed by the learned Additional District and Sessions Judge, 2nd Court, Lalbagh, Murshidabad.

The subject matter of the revisional application relates to judgment and order dated 19.12.2016 passed by the learned Judicial Magistrate, Additional Court, Lalbagh in MR Case No.336 of 2012 filed by the wife under Section 125 of the Code of Criminal Procedure. On an appreciation of evidence by each of the parties, learned Magistrate was pleased to direct the present petitioner/husband to pay a sum of Rs.1,000/- per month to the wife for her minor son as maintenance allowance. Being aggrieved by the said order, the wife preferred the revisional application before the learned sessions court and the learned sessions court on re-appreciation of evidence was pleased to hold that the wife is entitled to get a sum of Rs.1500/- per month along with the minor son who has already been receiving a sum of Rs.1,000/per month by the learned Magistrate. By the same order, learned Court was pleased to hold that the amount of maintenance allowance shall take effect

from 19.12.2016.

I have considered the materials appearing in the records of the case and I find that the prayer for maintenance was made in the year 2012. The same was decided by the learned trial court in the year 2016 and by the revisional court in the year 2020.

Having regard to the quantum of Rs.1500/- per month to the wife and Rs.1,000/- per month to the minor son, I am of the opinion that the same are meagre amount for sustenance of individuals and, as such, do not call for any interference.

Accordingly, the revisional application being CRR 28 of 2021 is dismissed.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)