

30-11-2022
Subha
Item no.17
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 363 of 2021

Shadab Ahmed
-versus-
Ghazala Parveen & Anr.

Re : An application under Article 227 of the Constitution of India.

Md. Zohaib Rauf
....for the petitioner.

The revisional application has been preferred challenging the judgement and order dated 10th February, 2020 passed by the Additional Sessions Judge, 3rd Court, Asansol, Paschim Bardhaman in Criminal Appeal no. 04 of 2019, whereby the learned Sessions Court was pleased to affirm the order dated 26.03.2019 passed by the learned Judicial Magistrate, 1st Class, 3rd Court, Asansol.

By the said order dated 26.03.2019, the learned Magistrate was pleased to allow interim maintenance in favour of the minor child to the tune of Rs. 7500/- per month.

I have perused the order passed by the learned Magistrate as well as learned Sessions Judge.

Having regard to the fact that such an order was passed by way of an interim measure during the pendency of the main application under Section 125 of the Code of Criminal Procedure, I am reluctant to interfere with the order after about 20 months.

Needless to state that the learned Magistrate would consider the evidence which finally surfaces in course of the trial and would

take an independent decision regarding the quantum to be allowed for maintenance at the time of final disposal of the case.

With the aforesaid observations, the present revisional application being CRR 363 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]