

CRR 207 of 2014

In the matter of:- Sufal Sutradhar

.....Petitioner

-vs-

Smt. Soma Sutradhar & Anr.

No one appears on behalf of the petitioner.

This revisional application has been filed challenging the judgement and order dated 27th November, 2013 passed by Ld. Judicial Magistrate, 5th Court, Barrackpore, 24-Parganas (North) in. Case No. M-667 of 2011 allowing maintenance in favour of opposite party No.1-wife to the tune of Rs.6,000/- per month.

The factual matrix of the case is that the opposite party no.1-wife filed an application under Section 125 of the Code of Criminal Procedure praying for maintenance. Upon hearing the learned Magistrate allowed maintenance in favour of the opposite party no.1-wife to the tune of Rs. 6,000/- per month.

Being aggrieved by and dissatisfied with the aforesaid order the petitioner has preferred the present revision.

It is found from the impugned order that the petitioner in cross-examination has admitted that his gross salary is Rs. 27,000/- per month. On the basis of such admitted income of the petitioner, the learned Judicial Magistrate allowed maintenance to the tune of Rs.6,000/- per month in favour of opposite party No. 1-wife. There are no such evidence that the opposite party No. 1-wife has income of her own. The object of Section 125 of the Code of Criminal Procedure is to prevent,

destitution and vagrancy. The husband is under obligation to maintain his wife.

In view of above, the impugned order does not call for any interference and is accordingly affirmed.

The revisional application is dismissed.

All connected applications also stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)