

CRR 548 of 2016

Sankram Basu-vs-Sumita Roy

An application under Section 397/401 read with Section 482 of the Code of Criminal Procedure.

None appears on behalf of the petitioner.

The present revisional application has been filed by the petitioner for setting aside the order dated 19.12.2015 passed by the learned Judicial Magistrate, 1st Court at Barrackpore, North 24-Parganas in M.Case No. 174 of 2015 granting interim maintenance in favour of the opposite party no. 1 and her minor child.

The brief fact of the case is that the opposite party no. 1/wife filed an application under Section 125 of Cr.P.C. alongwith a prayer for interim maintenance for herself and her minor child and her application for interim maintenance was allowed by the learned trial Magistrate to the tune of Rs. 2,500/- per month and Rs. 1,500/- per month for her minor child.

Being aggrieved by and dissatisfied with the said judgment and order, the petitioner has preferred the present revisional application.

It appears from the impugned order that upon considering the fact that the petitioner has sufficient capacity whereas the opposite party does not have the means and they have been neglected by the petitioner has allowed the interim maintenance in favour of the opposite party and her minor

child. Thus, there is no infirmity in the order passed by the learned Magistrate.

Accordingly, the revisional application is dismissed.

All connected applications, if any, also stand disposed of.

Interim order, if any, also 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.)