

15.03.2022

Item No.65
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1136 of 2018

**Sefali Bibi alias Sefali Khatun Bibi
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure.

Mr. Manas Kumar Das,
Ms. Shabana Hasin ... For the Petitioner.

Mr. Dhananjoy Banerjee,
Mr. Jisan Iqbal Hossain ... For the Opposite Party No.2.

Affidavit-of-service filed in Court today be kept on record.

Mr. Das, learned advocate appearing for the petitioner challenges the order dated 10.01.2018 passed by learned Additional Sessions Judge, 2nd Fast Track Court, Berhampore, Murshidabad in Criminal Motion No. 04/2017 wherein the learned sessions court in its revisional jurisdiction affirmed the findings, but modified the amount passed in M.R. Case No. 1674/2011 by the learned Judicial Magistrate, 2nd court, Berhampore.

Record reflects that the learned Magistrate in his order dated 07.10.2015 was pleased to award Rs.4000/- per month to the wife and Rs.2000/- per month to the minor daughter which was modified by the learned sessions court/revisional court to Rs.3000/- per month to the wife and Rs.1500/- per month to the minor daughter.

Having regard to the overall circumstances and the amount which is earned by the opposite party no.2 and the minimum expenditure required for survival of a minor along with her educational and medical expenses, I am of the opinion that so far as the minor daughter is concerned, the same should be enhanced.

Accordingly, the minor daughter shall be awarded a sum of Rs.3500/- per month which would be effective from the date of the order passed by the learned Magistrate i.e. on and from 07.10.2015.

The order passed by the learned Sessions Judge on 10.01.2018 is, thus, modified as aforesaid.

The revisional application being CRR 1136 of 2018 is partly allowed.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)