

Court No. 33
Item 3
Ali
18.07.2022

CRR 862 of 2013

**Sri Krishna Dey
Vs.
State of West Bengal & Anr.**

In Re:- An application under Section 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 under Section 401 read with Section 482 of the Code of Criminal Procedure challenging order No. 11 dated 04.01.2013 passed by learned Judicial Magistrate, 3rd Court at Durgapur, Burdwan in Misc. Case No. 06 of 2012.

The factual matrix of the case is that the opposite party No. 2 file an application under Section 125 of the Code of Criminal procedure for maintenance of herself and her minor daughter. In the said case the opposite party No. 2 also claimed interim maintenance. Upon hearing the learned Court vide order dated 04.01.2013 allowed interim maintenance to the tune of Rs.1,500/-per month for the opposite party No. 2 and Rs.1000/- per month of her minor daughter.

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

It appears from the impugned order dated 04.01.2013 that the Trial Court after observing on the basis of primary materials that the opposite Party No. 2 is the wife of the petitioner and out of the said wedlock minor daughter was born, allowed the interim maintenance in favour of opposite

party no. 2 and her minor daughter.

In the aforesaid backdrop the impugned order does not call for interference.

Accordingly, the present 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.)