

06.06.2022

Item No.21
Ct.No.34
dc.

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

C.R.R. 1783 of 2022

**Smt. Mukta Chowdhury
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 read with Section 483 of the Code of Criminal Procedure, 1973 filed in connection with proceedings being M-258/2018 under Section 125 of the Code of Criminal Procedure pending before learned Judicial Magistrate, Bongaon, North 24-Parganas.

Mr. Susnigdho Bhattacharyya ... For the Petitioner.

The present revisional application has been preferred in respect of M-258/2018 under Section 125 of the Code of Criminal Procedure pending before the learned Judicial Magistrate, Bongaon, North 24-Parganas.

Learned advocate for the petitioner submits that the opposite party no.2 is selectively choosing to appear before the court and is purposely delaying the proceedings.

I find that the application under Section 125 of the Code of Criminal Procedure was filed in the year 2018. Although for about two years, the courts were operating with limited resources, yet having regard to the fact that the provisions under Section 125 of the Code of Criminal Procedure were incorporated with the object of preventing financial distress to wife, children and parents who were unable to maintain themselves, I am of the opinion that the learned Judicial Magistrate should fix at least one date on every fortnight and compel the husband/opposite party no.2

to clear all the dues which accrued by way of interim maintenance by August 2022. The learned court would thereafter continue with the evidence of the case and by August 2023 complete the proceedings relating to M-258/2018.

With the aforesaid directions, the revisional application being CRR 1783 of 2022 is disposed of.

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.)