

10.03.2022.

Item No.31,32

ss

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 1220 of 2016

With

C.R.R. 2050 of 2016

Pinky Singh (Dutta)

Vs.

Arindam Sinha

**In Re: An application under Section 482 of the Code of Criminal  
Procedure, 1973**

Re : C.R.R. 1220 of 2016

None appears on behalf of either of the parties. No accommodation has been sought for.

The present revisional application was preferred challenging the order dated 08.02.2016 passed by the learned Chief Judicial Magistrate at Barasat, North 24-Parganas in Criminal Miscellaneous Case No.3885 of 2014. By the said order the learned Chief Judicial Magistrate awarded interim maintenance allowance to the tune of Rs.6,000/- per month to the present petitioner in a proceeding under Section 125 of the Code of Criminal Procedure.

Having regard to the reasons so assigned and the purport of the order being an interim measure during the pendency of the main application under Section 125 of the Code of Criminal Procedure, I am of the opinion that no interference is called for at this belated stage. However, if the petitioner is able to produce relevant evidence it would be upto the learned Chief Judicial Magistrate at the end of the trial to consider whether an enhanced sum is required to be awarded.

Accordingly, C.R.R. 1220 of 2016 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, stands vacated.

Re : C.R.R. 2050 of 2016

The opposite party herein being the husband of the present petitioner approached the learned Sessions Judge, 24-Parganas (North) in Criminal Revision No.50 of 2016 and the learned Court by an order dated 30.04.2016 was pleased to stay the order dated 08.02.2016 passed by the learned Chief Judicial Magistrate, North 24-Parganas in connection with M. Case No.3885 of 2014. However, the learned Sessions Judge was pleased to allow the prayer for interim order of stay subject to payment of Rs.4,000/- per month during the pendency of the revisional application.

Being aggrieved, the present petitioner approached this Court. Having regard to the observation made in CRR 1220 of 2016, I am of the opinion that the revisional application pending before the learned Sessions Court has become infructuous and is liable to be dismissed.

Learned Sessions Court dealing with criminal revisional application being No.50 of 2016 is directed to follow the order passed in CRR No.1220 of 2016 and dispose of the revisional application accordingly.

With the aforesaid observations, C.R.R. 2050 of 2016 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is made absolute.

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

(Tirthankar Ghosh, J.)