

D/L64
July 20,
2022
Bpg.

C.R.R. 2553 of 2009

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

Sri Jaydeb Giri @ Nantu Giri
Versus
Smt. Purnima Giri

Md. Sabir Ahmed,
Mr. Hillol Saha Poddar,
Mr. Apan Saha.
...for the petitioner.

The revisional application was preferred challenging the
judgment dated 5th May, 2009.

I find that the learned Magistrate on appreciation of the
evidence which surfaced allowed the application under Section 125
of the Code of Criminal Procedure wherein direction was awarded
for maintenance of Rs.1600/- per month to be paid to the opposite
party (Rs.1,000/- per month to the wife and Rs.600/- per month to
the child).

The warrant of arrest, however, was stayed for a limited
period of time.

In view of the quantum which has been awarded, I am of
the opinion that no interference can be made regarding the
quantum as the structure of the cost index has completely changed
in the last 12 years. However, the petitioner would be at liberty to
bring to the notice of the court if there are absolute change of
circumstances by invoking the provisions of Section 127 of the Code
of Criminal Procedure.

With the aforesaid observations, CRR 2553 of 2009 is
disposed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)