

30.06.2022
Item No.4
Ct. No.38
Saswata

CRR 3268 of 2011

In re : An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973

Shaikh Nabiul @ Nabiul Ali

-vs-

The State of West Bengal & Ors.

The order dated 21st June 2011 is under challenge in this revisional application which was passed by the learned Additional Sessions Judge, Fast Track 5th Court, Malda affirming the order of the Learned Judicial Magistrate passed in Criminal Misc. Case no. 363M/2009 dated 29th December 2010 whereby the Magistrate allowed prayer of opposite party no. 2 under Section 125 of the Cr.P.C. and thus the petitioner was directed to pay a sum of Rs. 2000/- per month to the opposite party no. 2 and Rs.1000/- per month to her minor daughter as maintenance.

Record in this revisional application shows that previously on several earlier occasions, none appeared in this case either regard on behalf of the petitioner or the opposite parties. The situation is same today. Therefore, the case is taken up for delivering the order.

On perusal of the materials on record, I do not find that the petitioner could make up any sustainable, cogent ground in this case to challenge the impugned order. Also that the cause of action of the petitioner appears to be infructuous due to efflux of time.

Considering the facts and circumstances, I find no merit in the petitioner's case and also no issues to have remained to be adjudicated. The revisional application being CRR 3268 of 2011 is accordingly dismissed.

Interim order and connected applications, if any, stand vacated.

(Rai Chattopadhyay, J.)