

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

C.R.R. 3365 of 2022

***Soma Seal
Vs.
The State of West Bengal & Anr.***

**For the petitioner : Mr. Prantick Ghosh, Adv.
Mr. Prasad Bhattacharyya, Adv.**

Heard on : 08.12.2022

Judgment On : 08.12.2022.

Bibek Chaudhuri, J.

It is unfortunate to note that an application for maintenance under Section 125 of the Code of Criminal Procedure is pending for more than 6 years.

The petitioner has approached this Court finding no other alternative for a direction for expeditious disposal of the said maintenance case pending before the learned Judicial Magistrate, 1st Court at Barrackpore being Maintenance Case No.114 of 2016.

Having heard the learned Advocate for the petitioner and on perusal of the materials on record, I find that the instant revision can

be disposed of here and now with the assistance of the learned Public Prosecutor.

Therefore, Mr. Dipankar Paramanick is requested to assist this Court on behalf of the State. The petitioner is directed to serve a copy of this application here and now to Mr. Paramanick.

The appointment of Mr. Paramanick be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is stated on behalf of the petitioner that her marriage with the opposite party was solemnized on 14th May, 2015. In the year 2016, a female child was born and subsequently she was driven out from her matrimonial home which compelled her to file an application for maintenance under Section 125 of the Code of Criminal Procedure.

It is also submitted on behalf of the petitioner that the learned Trial Court directed the husband to pay interim maintenance @ Rs.2,000/- each per month to the petitioner and her minor child, total being Rs.4,000/- per month. In the meantime, the parties have exchanged affidavit of assets. The case is ready for disposal. However, the opposite party is going on taking unnecessary adjournment on the date of trial and hearing of the case is protracted.

Under such circumstances, the instant revision is disposed of directing the learned Judicial Magistrate, 1st Court at Barrackpore to conclude recording of evidence of the parties within 3 months from

the communication of this order. Thereafter, the learned Magistrate shall dispose of the revisional application within one month from the date of conclusion of recording of evidence.

No unnecessary adjournment shall be granted to either of the parties.

The petitioner is at liberty to act on the server copy of this order.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.25
M/L..***