

02-03-2022
Subha
Item no. 116
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
(Via video-conference)

C.R.R 2903 of 2019

In Re: An application under Section 482 of the Code of Criminal Procedure.

In the matter of : Soumik Bhattacharyya ...Petitioner.

Mr. Aniruddha Lahiri

....for the petitioner.

Mr. Tanmoy Chowdhury,
Ms. Ritoprita Ghosh

..... for the Opposite Party.

Learned advocate appearing on behalf of the petitioner submits that the learned Magistrate by ignoring the salary slip of the petitioner awarded maintenance of Rs.6,000/- per month to the wife and Rs.8,000/-to the minor daughter aggregating to a sum of Rs.14,000/- per month.

According to the learned advocate, the amount is immensely creating pressure upon the present petitioner who is unable to bear the same because of his weak earnings.

Mr. Chowdhury, learned advocate appears on behalf of the opposite party and refutes the contentions advanced by the learned advocate for the petitioner.

I have perused the document, which was the foundation of argument of the learned advocate for the petitioner. The said document is of June, 2014. In the meantime, more than 8 years have

passed. As such, I am not inclined to revive upon such document to arrive at a conclusion to dismiss the order passed by the learned Magistrate.

The petitioner, if so advised, may file an application under Section 127 of the Code of Criminal Procedure before the learned Magistrate relying upon a pay slip (not older than six months from the date of the filing of the said application) and the learned Magistrate will consider the same in the perspective of the prayer advanced by the petitioner.

Mr. Chowdhury, learned advocate for the opposite party submits that some amount has been due for which they have filed an execution case before the jurisdictional court.

Learned Magistrate would dispose of the same within a reasonable period of time preferably within a period of six months from date.

With the aforesaid observations, the present revisional application being CRR 2903 of 2019 is disposed of.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

