

01.07.2022
Item No.38
Ct. No.33
Saswata

CRR 2785 of 2015

Nitya Gopal Mondal
-vs-
Supriya Mondal & Anr.

None appears on behalf of the petitioner.

The present revisional application has been filed by the petitioner challenging the judgment and order dated 17.02.2015 passed by the Learned Judicial Magistrate, Additional Court, Arambagh, Hooghly in Misc. Case no. 96 of 2010 under Section 125 of the Code of Criminal Procedure.

The factual matrix of the case is that the opposite party no. 1 filed an application under Section 125 of the Cr.P.C. claiming maintenance for herself and her minor child. Upon consideration, the Learned Judicial Magistrate allowed maintenance in favour of the petitioner to the tune of Rs.2000/- per month and Rs. 1500/- to the minor child.

Being aggrieved by and dissatisfied with the aforesaid judgment and order, the petitioner has preferred the present revision.

It is found from the impugned judgment that the opposite party no. 1 is the wife of the petitioner and the minor petitioner is born from the said wedlock. There is no evidence that the opposite party no. 1 has sufficient income of her own. The petitioner, being an able bodied is under obligation to

maintain his wife and child. The provisions of Section 125 of the Cr.P.C. has been enacted to prevent destitution and vagrancy.

In the aforesaid backdrop, I am of the view that the impugned judgment and order passed by the Learned Judicial Magistrate does not call for interference.

Accordingly, the criminal revision being CRR 2785 of 2015 stands dismissed.

Connected applications, if any stand dismissed too.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for be given to the parties on priority basis upon completion of requisite formalities.

(Bivas Pattanayak, J.)