

C.R.R 3188 of 2013

**In Re:- An application under Section 482 of the
Code of Criminal Procedure, 1973.**

In the matter of:-

Pradip Ghosh.....petitioner

Vs

State of West Bengal & Anr.

None appears on behalf of the petitioner.

The petitioner has preferred the present revisional application challenging order dated 17.04.2013 passed by Learned Judicial Magistrate, 1st Court, Barrackpore in Misc. Case no. 261 of 2011 under Section 125 of CrPC .

The factual matrix of the case is that the opposite party no.2 filed an application under Section 125 CrPC claiming maintenance for herself and her minor child. In the aforesaid proceeding the opposite party no.2 prayed for interim maintenance which was allowed by the Learned Magistrate on 17.04.2013.

Being aggrieved by and dissatisfied with the said order the petitioner has preferred the present revisional application.

It is found from the impugned order that the Learned Magistrate has taken into consideration the capacity of the petitioner to earn and also held that the petitioner failed and neglected to maintain the wife and minor child. On such ground interim maintenance was allowed in favour of the

opposite party no.2 and her minor child.

Accordingly the aforesaid order does not call for interference.

The present revisional application is dismissed

All connected applications stands disposed of.

Interim orders, if any, stand vacated.

Let a copy of this order be sent to the learned trial court for information.

Urgent Photostat Certified copy, if applied for, be supplied to the appellants expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)