

D/L64
09.06.2023
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C.R.R.116 of 2023
With
CRAN 1 of 2023

In Re: An application under Sections 401/482 of the Code of Criminal Procedure;

Avijit Maji @ Abhijit Maji
Versus
Anima Jana

Mr. Suman De.
...for the petitioner.

The present revisional application has been preferred by the father against an order passed by the learned Judicial Magistrate, 1st Court, Tamruk, Purba Medinipur in a proceeding under Section 125 of the Code of Criminal Procedure.

Mr. Suman De, learned advocate appearing for the petitioner submits that the petitioner is much more interested regarding the custody of the daughters.

So far as the custody of the daughters are concerned, the same are not within the domain of the present Court. The petitioner should approach the civil court for appropriate remedies.

It has additionally been submitted that earlier an application was preferred before the civil court for custody of the child. However, at the relevant period of time, the petitioner was detained in custody and the said application was dismissed. There is no foreclosure in law so far as the custody of child is concerned, petitioner would be at liberty to approach the civil court which would consider the prayers so advanced for custody in its proper perspective.

The present is an application wherein the subject matter of maintenance awarded has been challenged.

Having considered the quantum which has been awarded by the learned Judicial Magistrate, 1st Court, Tamluk, Purba Medinipur in Misc. Case No.118 of 2020, I find that the same is found to be just and sufficient and, as such, there is no scope for interference.

With the aforesaid observations, CRR 116 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)