

24-07-2023
Subha
Item no. 53
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 264 of 2023

Ramiul Haque @ Crane
-versus-
State of West Bengal & Anr.

Mr. Ramdulal Manna
Ms. Manju Manna
Mr. Sayan Mukherjee
Mr. Payel Khanra
....for the petitioner.

Petitioner has challenged the order of interim maintenance which was awarded by the learned Judicial Magistrate, First Court, Malda and affirmed by the learned Additional Sessions Judge, Fast Track Court – I, Malda in Criminal Revision No. 10 of 2022.

Learned advocate for the petitioner submits that the petitioner is a daily labourer and it is not possible for him to pay a sum of Rs.7000/- per month.

I have considered the reasonings assigned by the learned Magistrate as well as the learned Sessions Court. The plea which has been taken before the High Court is completely different from that which was before the learned trial court. The petitioner is granted liberty to adduce his evidence in support of his claim before the learned trial court as the main proceedings are still pending and the interim maintenance has been granted as a measure for sustenance of the petitioner during the pendency of the main proceedings.

With the aforesaid observations, the revisional application being CRR 264 of 2023 is disposed of.

No interference is made at this stage.

Pending applications, if any, are consequently disposed of.

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]