

18.07.2023

Item No.45
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 400 of 2023

In the matter of : **Smt. Madhumati Jana (Haldar)** ... Petitioner.

Mr. Subhasish Pachhal ... For the Petitioner.

The petitioner is an applicant in a proceeding under Section 125 of the Code of Criminal Procedure being Misc. Case No. 250 of 2020 which is pending before the learned Judicial Magistrate, 2nd Court, Howrah. The grievance of the applicant/wife/petitioner is that the proceedings were initiated in the year 2020 and till 2023, according to the instructions received by the learned advocate for the petitioner, neither any award of interim maintenance has been passed nor the proceedings are progressing smoothly as the husband has been evading the process of the court.

Having regard to the submissions advanced and also taking into account that since initiation of the proceedings, almost three years have passed, I direct the learned trial court to fix at least one date in a month so that within a period of three months, the issue relating to interim maintenance be decided. Thereafter the learned trial court would fix date on each and every month so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

The learned Magistrate would keep in mind the legislative intent while enacting such legislations which are

for protecting the interest of destitute ladies and their vagrancy.

With the aforesaid observations, the revisional application being CRR 400 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)