

**CRR 477 of 2023**

In Re:- An application under Sections 397/401 read with Section 482 of the Cr.P.C.

In the matter of : **Shilpi Hazra**

... petitioner

Mr. Subham Bhakat

...For the State

1. The petitioner is aggrieved by the factum of interim maintenance being granted by the Learned Judicial Magistrate, 3<sup>rd</sup> Court at Durgapur.
2. I have perused the said order dated 5<sup>th</sup> December 2022, wherein the learned Court was pleased to grant an interim maintenance of Rs. 2000/- to the wife and Rs.2000/- to the minor child aggregating Rs.4000/-. Having regard to the present cost index, I am of the view that it would not be prudent to interfere with such minimal quantity award.
3. However, the petitioner having expressed his inability, would be entitled to prefer an application in the nature of Section 127 of the Cr.P.C.. The Learned Magistrate will consider the same in the background of other compulsion, capacity to earn and other liabilities and dispose of the same in accordance with law.
4. With the above observations, the revisional application being CRR 477 of 2023 is accordingly **disposed of**.
5. Pending application, if any, is also disposed of.

6. Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

**(Tirthankar Ghosh, J.)**