

27
12-10-2023
Ct. No.34
b.das

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

CRR No. 957 of 2023

In the matter of : Rabisankar Sahu Petitioner.

Re: An application under Sections 401 read with Section 482 of the
Code of Criminal Procedure.

Mr. Ashraf Ali ...for the petitioner.

Mr. Ali, learned advocate appearing for the petitioner challenges the order passed by the learned Additional Sessions Judge, 5th Court, Paschim Medinipur in Criminal Revision No.607 of 2022. By the said order, the revisional court in fact affirmed the order dated 14.7.2022 passed in MR Case No.347 of 2029 wherein the learned Judicial Magistrate, 6th Court, Paschim Medinipur awarded interim maintenance of Rs.10,000/- per month to the opposite party, wife. Foundation on which the quantum of maintenance was assessed by the learned Magistrate and affirmed by the learned Sessions Court by extending its revisional jurisdiction is that the present petitioner, husband happens to be a retired Professor.

However, in respect of the maintenance awarded there may be issues involved which are to be canvassed before the Court which may include liabilities, ailments and other

necessary factors and has been misused by the present petitioner.

In view of the aforesaid I grant liberty to the petitioner to file an application under Section 127 of the Code of Criminal Procedure before learned Judicial Magistrate, 6th Court, Paschim Medinipur. In case such an application is preferred, the learned Magistrate after issuing notice to the parties shall dispose of the same within a period of three months from the date of filing of such application. However, no inference is made in respect of the quantum at this stage as no materials are there which impress this Court to alter and amend the interim maintenance.

With the aforesaid observation CRR 957 of 2023 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Tirthankar Ghosh, J.)