

D/L62
14.06.2023
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C.R.R.1236 of 2023

In Re: An application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973;

Sk. Nazir
Versus
Sk. Hafija

Mr. Chandan Kumar Lal.
...for the petitioner.

Petitioner is aggrieved by the quantum of interim maintenance so awarded by the learned Judicial Magistrate, 3rd Court, Katwa in Misc. Case No.190 of 2022.

Learned advocate appearing for the petitioner submits that he has been working as civic volunteer and, as such, he is unable to bear the quantum of interim maintenance so awarded by the learned trial court.

Having regard to the amount which has been awarded by way of interim maintenance, I am of the view that the amount is an interim measure during the pendency of the main proceedings of the application under Section 125 of the Code of Criminal Procedure.

Petitioner is granted liberty to adduce appropriate evidence in course of the trial so that the learned Magistrate would satisfy his conscience regarding alteration, modification or enhancement of the maintenance amount.

With the aforesaid observations, CRR 1236 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.)