

09.08.2023

Item No.70
Ct.No.34
dc.

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

C.R.R. 1798 of 2023

In the matter of : **Sri Amit Mondal**

... Petitioner.

The present revisional application has been preferred challenging the order dated 27.03.2023 passed by learned Special Court cum Additional Sessions Judge, Durgapur in connection with Criminal Motion No. 5 of 2023. The said revisional application was preferred in respect of an application under Sections 125(3)/128 of the Code of Criminal Procedure wherein the learned Judicial Magistrate, 3rd Court, Durgapur in Misc. Execution Case No. 104 of 2022 was pleased to direct the petitioner to pay the arrears.

Having regard to the subject-matter of the proceedings and the reasons so assigned by the learned Additional Sessions Judge, Durgapur in Criminal Motion No. 5 of 2023, I am of the view that the learned revisional court took into account the affidavits which were filed by both the parties and the quantum which has been decided by the learned trial court and thereafter proceeded to dismiss the revisional application. Having regard to the reasons so assigned by the learned sessions court while disposing of the revisional application, I am of the opinion that the same does not call for any interference. If there are change of circumstances, the petitioner would be at liberty to invoke the relevant provisions of law before the learned Magistrate.

With the aforesaid observations, the revisional application being CRR 1798 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.)