

08.06.2023

Item No.34
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 1980 of 2023

In the matter of : **Sukalyan Sinha**

... Petitioner.

Mr. Sankar Paul,
Ms. Tapati Sarkar

... For the Petitioner.

The petitioner has challenged the order dated 30.09.2022 passed in Criminal Appeal No. 75 of 2022 wherein the appellate court in a proceeding under Section 12 of the P.W.D.V. Act was pleased to affirm the order dated 15.07.2022 passed by learned Judicial Magistrate, 4th Court, Howrah in Misc. Case No. 192 of 2020.

I have considered the issues so canvassed as also the reasons so assigned by the learned Magistrate as well as by the learned sessions court while disposing of the appeal. The subject-matter relates to an interim relief being granted. The main proceeding is still pending.

Learned advocate for the petitioner contends that the husband/petitioner is unemployed and is also suffering from neurological problems. As such he is unable to bear such quantum.

The petitioner is granted liberty to canvass such points in course of evidence. Additionally, the petitioner is granted liberty to canvass all the points which have been advanced in the present revisional application.

The learned trial court after conclusion of evidence, would assess the materials and thereafter decide whether the

quantum of maintenance or other reliefs to be awarded requires any modification, amendment or enhancement.

With the aforesaid observations, the revisional application being CRR 1980 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.)