

03-08-2023
Subha
Item no.462
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 2193 of 2022

CRAN 1 of 2022

CRAN 3 of 2022

In the matter of : Raja Khan @ Imran Khan

...Petitioner.

Mr. Tapas Kumar Ghosh

Mr. Tanmoy Choudhury

...for the petitioner.

Mr. Ranjan Chakrabarti

....for the opposite party.

The revisional application was preferred at the instance of the petitioner/husband expressing his grievance for not being allowed to adduce his evidence in respect of a proceeding under Section 127 of the Criminal Procedure. Initially, there was an interim order of stay, however the same was extended from time to time.

Mr. Chakrabarti, learned advocate appearing on behalf of the opposite party/wife submits that there are arrears pending for a considerable period of time which has accumulated to a sum of Rs.1,25,000/-. On the other hand, Mr. Ghosh, learned advocate appearing on behalf of the petitioner submits that the arrears which have accumulated is approximately Rs.1,00,000/-. Whatever be the disputed quantum but there are quantum which have been accumulated. The husband/petitioner before this court is directed to pay 50% of the accumulated arrears as decided by the learned trial court prior to 20th September, 2023. Once such 50% accumulated

arrears are paid, the learned Magistrate would give opportunity in accordance with law by providing appropriate installment in clearing the rest of the arrears. Date is fixed with consent of both the parties to appear 20th September, 2023 for allowing the husband/petitioner to adduce his evidence. The learned court will thereafter exercise his discretion to arrive at its own findings after the evidence is over.

With the aforesaid observations, the revisional application being CRR 2193 of 2022 along with all connected applications are disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]