

15.06.2023

Item No.46
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 2122 of 2023

In the matter of : **Rinki Karan**

... Petitioner.

Mr. Sujit Kumar Rath,
Mr. Tanmay Chowdhury

... For the Petitioner.

The petitioner is aggrieved by the order dated 31.03.2023 passed in Criminal Revision No. 08 of 2023 by the learned Additional District and Sessions Judge, Fast Track, 1st Court, Contai, Purba Medinipur.

Records reflect that the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur in Misc. Case No. 183 of 2019 was pleased to award interim maintenance of Rs.10,000/- by the order dated 03.11.2022.

The husband/opposite party no.1 preferred a revisional application before the learned sessions court and the learned Additional District and Sessions Judge, Fast Track, 1st Court, Contai granted a blanket *ad interim* order of stay of all further proceedings relating to Misc. Case No. 183 of 2019. The learned Additional District and Sessions Judge, Fast Track, 1st Court, Contai by his order dated 31.03.2023 did not consider the urgency or the social aspect and the purpose for which interim maintenance is granted in cases under Section 125 of the Code of Criminal Procedure.

So far as the stay of further proceedings is concerned in the order dated 31.03.2023 passed in Criminal Revision No. 08 of 2023, the same is modified to the extent that the

husband/petitioner in Criminal Revision No. 08 of 2023 would continue to pay the amount of Rs.10,000/- until and unless the same is modified or amended for special reasons at the time of final argument of Criminal Revision No. 08 of 2023.

If the said amount is not paid, the present petitioner would be at liberty to put the order of the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur in execution.

With the aforesaid observations, the revisional application being CRR 2122 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.)