

**05.06.2023**

Item No.35  
Ct.No.34  
dc.

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

**C.R.R. 2339 of 2022**

**Arijit Chowdhury  
versus  
The State of West Bengal & Anr.**

**In Re:** An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Debapratim Guha,  
Mr. Diptendu Banerjee,  
Ms. Anchita Sarkar ... For the Petitioner.

Mr. Jayanta Narayan Chatterjee,  
Ms. Moumita Pandit,  
Ms. Jayashree Patra,  
Ms. Sreeparna Ghosh,  
Ms. Pritha Sinha ... For the Opposite Party No.2.

I have considered the submissions advanced by the learned advocate appearing for the petitioner as well as Mr. Chatterjee, learned advocate appearing for the opposite party no.2. The grievance of the petitioner is that in spite of a quantum of maintenance being allowed in a proceeding under Section 125 of the Code of Criminal Procedure, the learned Magistrate also awarded maintenance in a proceeding under the provisions of Protection of Women from Domestic Violence Act. I do not find any illegality in the order so passed by the learned trial court.

The subject-matter has already been considered by the learned Additional District and Sessions Judge, 3<sup>rd</sup> Court, Berhampore in Criminal Appeal No. 4 of 2020. The petitioner is trying to create new points before this Court. If the petitioner intends to agitate any grievance, the same must

first be brought to the learned Magistrate and the same subsequently be considered in accordance with law.

With the aforesaid observations, the revisional application being CRR 2339 of 2022 is disposed of.

Pending connected 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 with all requisite formalities.

**(Tirthankar Ghosh, J.)**