

17.02.2023

Serial no. 28

[G.S.D]
Court No.35

CRR 1900 of 2015

In re : An Application under Section 401 read with Section 397 of the Code of Criminal Procedure.

-And-

In the matter of : Sk Samsur Rahaman

... .. Petitioner

Mr. N. P. Agarwala

Mr. Pratick Bose

... for the State

None appears for the petitioner at the time of second call.

Record reveals that the matter is pending in the list since 4.1.2023 and no one has ever represented for any of the parties.

Therefore, without wasting any further time, this case is taken up for disposal on merit in absence of the petitioner as the same is a old one and pertains to the year 2015.

In this case the petitioner has challenged the ex parte order of the Magistrate dated 15.12.2014 in Misc. Case No. 332 of 2012 under Section 125 of the Cr.P.C.

The Court, by dint of the said order, directed the petitioner to pay maintenance to the O.P./wife at the rate of Rs. 3,000/- per month.

The grounds pleaded by the petitioner to challenge the proceedings as above are not however found to be sufficient in order to warrant any interference by this Court in exercise of inherent extraordinary power under Section 482 of the Cr.P.C.

Hence, CRR 1900 of 2015 along with connected application (s), if any, stand dismissed.

All parties to act on a server copy of this order duly obtained from the official website of the Hon'ble High Court, Calcutta.

(Rai Chattopadhyay, J.)