

CRR 2672 of 2023
with
IA No. CRAN 1 of 2023

In re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : **Amarjit Singh Wilkhoo**

..... petitioner

Mr. Anindya Ghosh
Mr. Sekhar Mukherjee
Mr. Anindya Chowdhury
Mr. Subhajit Mukherjee

.... For the petitioner

Re: CRAN 1 of 2023

There was a delay of 22 days in preferring the present revisional application.

Having regard to the subject matter involved in the present revisional application and the reasons so assigned therein, I am of the opinion that the reasons are just and sufficient for preferring the revisional application beyond the period.

As such, the delay of 22 days for preferring the revisional application is hereby condoned.

Accordingly, the application being CRAN 1 of 2023 is allowed.

The petitioner is aggrieved by the order dated 29th March, 2023 passed by the learned Judicial Magistrate, 2nd Court at Katwa, Purba Bardhaman.

The learned advocate submits that pursuant to its earlier order passed by this Court in CRR 1964 of 2021, the learned trial Court is reluctant to hear the husband who is the present petitioner. The learned advocate did not dispute regarding salary of a sum of Rs.1,29,835/- per month as recorded by the learned

Trial Court, but according to him, there are other compulsions and expenses which are to be incurred regularly by the present petitioner which were not taken care of by the learned Magistrate while deciding the quantum of maintenance.

The petitioner as such is granted liberty to file application under Section 127 of the Code of Criminal Procedure expressing his compulsions/expenses and liabilities which are involved. The learned Magistrate would consider the same in accordance with law and dispose of the same as expeditiously as possible.

With the aforesaid observations, the revisional application being CRR 2672 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the serve 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 requisition formalities.

(Tirthankar Ghosh, J.)