

25.07.2023
Serial no. 10
[G.S.D]

CRR 2682 of 2023

In the matter of : Ashim Ghosh @ Asim Ghosh

... .. Petitioner

Mr. Kazi M Rahman

... For the Petitioner

The petitioner has challenged the order dated 17.3.2023 in M. Case No. 158 of 2020, wherein in a proceeding under Section 125 of the Cr.P.C., the Learned Magistrate was pleased to award Rs.6,000/- per month to the wife.

Having regard to the quantum so awarded, I am of the opinion that there is no scope for any interference in this matter.

However, the petitioner would be at liberty to take out an application under Section 127 of the Code of Criminal Procedure for bringing any evidence or materials to show that the said amount/award, which is to be regularly paid, is beyond his control.

The Learned Magistrate would consider the same in its true perspective and, if possible, reconsider the said amount, which has already been awarded.

With the aforesaid observations, CRR 2682 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)