

07-06-2023
Subha
Item no.04
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3109 of 2022

Intekhab Alam
-versus-
Nargis Begam

In Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Muzibar Ali Naskar
Mr. Parvez Hossain
.....for the petitioner.

Mr. Sabir Ahmed
Mr. Shraman Sarkar
Mr. Dhiman Banerjee
Ms. Suman Biswas
...for the opposite party.

The present revisional application has been preferred against the order dated 22.04.2022 passed by the learned Judicial Magistrate, 1st Court, Jangipur, Murshidabad.

Learned advocate for the petitioner submits that the petitioner is employed in the brickfield of his own father and the wife in the court of law absurdly quoted regarding the earning of the husband which was relied upon by the learned Magistrate and the learned Magistrate thereafter allowed the application for interim maintenance awarding Rs.7000/- to the wife and Rs.5000/- for the minor daughter.

Mr. Ahmed, learned advocate appearing on behalf of the petitioner not only opposes the contents advanced for reduction of the maintenance as prayed for by the learned advocate for the

petitioner but also submits that there are huge dues pending so far as the quantum of interim maintenance is concerned for which execution case has been filed before the learned trial court.

I have considered the submissions of both the parties and I find that the present order relates to an interim measure in respect of a proceeding under Section 125 of the Code of Criminal Procedure. The final determination of the rights regarding the quantum would be after the complete evidence is adduced before the learned trial court.

Considering the present cost index no interference is called for with respect to the order dated 22.04.2022 passed by the learned Judicial Magistrate, 1st Court, Jangipur, Murshidabad in Misc. Registration Case No. 149 of 2019. Learned Magistrate is directed to fix at least one date in every sixty days so that the trial can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the present revisional application being CRR 3109 of 2022 is disposed of.

All Pending applications, if any, are disposed of accordingly.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

