

17-02-2023
Subha
Item no. 23
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
C.R.R 2550 of 2021

Re : An application under Section 401 read with Section 482 of the Code of Criminal Procedure.

Pranati Chakraborty (Maity)
-versus-
The State of West Bengal & Anr.

Mr. Tapan Dutta Gupta
Mr. Parvej Anam
...for the petitioner.

Mr. Madhusudan Sur, Id. APP
Mr. Manoranjan Mahata
...for the State.

Mr. Sk. Rejaul Alam
...for the opposite party no.2.

Mr. Sur, learned Additional Public Prosecutor appearing on behalf of the State produces the Photostat salary slip of the opposite party husband namely, Bishnupada @ Bishnu Maity certified by the Deputy Commissioner of Police, Special Branch, Kolkata. Let the same be kept with the record.

Having considered the total receipt being Rs.53,405/- and the deduction towards taxes being Rs.4700/- per month apart from the provident fund and other deductions, the present petitioner is getting an amount of approximately Rs.45,000/- per month. That being so, I am of the view that one-third of the same must be allotted towards the wife and the minor son. Accordingly, the quantum of maintenance of Rs.6000/- each per month so awarded to the wife and the minor son

aggregating to a sum of Rs.12,000/- per month is enhanced to a sum of Rs.15,000/- per month, accordingly, the opposite party/husband would pay a sum of Rs.7500/- per month to the petitioner no.1/wife and another sum of Rs.7500/- per month to the minor son. Let this amount be made applicable from 18th September, 2021 when the learned Judicial Magistrate, 5th Court, Paschim Medinipur passed the judgement and order in M. R Case No. 187 of 2011.

Accordingly, the revisional application being CRR 2550 of 2021 is disposed of with the aforesaid modification towards the quantum of maintenance.

Pending applications, if any, are consequently disposed of.

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]