

07-06-2023  
Subha  
Item no.09  
Ct no.34

*IN THE HIGH COURT AT CALCUTTA*  
*Criminal Revisional Jurisdiction*

**CRR 3533 of 2022**

*Najma Khatun @ Najima Begum*  
-versus-  
*Jahiruddin Md. Hasan & Anr.*

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

Mr. Manas Kuamar Das  
Mr. Aritra Kumar Thokdar  
.....for the petitioner.

The grievance of the present petitioner relate to order dated 16.08.2022 passed by the learned Additional Sessions Judge, Kandi, Murshidabad in Crl. Rev. No. 05 of 2022 wherein the judgement dated 22.02.2022 passed by the learned Judicial Magistrate, Kandi, Murshidabad in Misc. Case No. 241 of 2015 was affirmed.

The principle grievance of the petitioner presently is that the quantum of maintenance of Rs.7000/- per month was directed to be paid by the learned Judicial Magistrate from the date of delivery of the judgement.

In case no interim maintenance was granted during the pendency of the trial of M. Case No. 241 of 2015, I direct that there are no special reasons for not considering the amount to be paid from the date of filing of the application.

Accordingly, the learned Magistrate is directed that the

records of the case be checked and special reasons be assigned if the learned Magistrate is reluctant to grant the maintenance from the date of the filing of the application under Section 125 of the Code of Criminal Procedure.

Mr. Das, learned advocate appearing on behalf of the petitioner submits that no interim maintenance was granted. If that be so, the learned Magistrate would, in such circumstances, give effect to the quantum of maintenance awarded from the date of the filing of the application under Section 125 of the Code of Criminal Procedure.

With the aforesaid observations, the present revisional application being CRR 3533 of 2022 is disposed of.

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

Petitioner is granted liberty to bring this order to the notice of the learned Magistrate within a week from date.

Learned Magistrate would issue a notice and dispose of his findings by 31<sup>st</sup> July, 2023.

The trial court is directed to act in terms of a copy of this order duly downloaded from the official website of this court.

**[Tirthankar Ghosh, J]**

