

05-09-2023  
Chanchal  
Item no. 82  
Ct no.34

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

**CRR 4109 of 2022**

***Safiqul Alam***  
**-versus-**  
***State of West Bengal & Anr.***

Mr. Sagar Saha  
Mr. Nurnobi Seikh  
....for the petitioner.

The revisional application has been preferred challenging the order dated 13.05.2022 passed by the learned Sessions Judge Malda in connection with Case No. 16/2020 under Section 127 and 125( 4 & 5) of the Code of Criminal Procedure, 1973.

The subject matter of the revisional application relates to the quantum of maintenance being awarded by the learned Judicial Magistrate 1<sup>st</sup> Court, Malda by way of interim maintenance award being a sum of Rs. 7000/- to the wife and Rs. 5000/- to the minor daughter totaling to a sum of Rs. 12,000/- as interim maintenance. Assailing the aforesaid order passed by the learned Judicial Magistrate, a revisional application was preferred being Criminal Revision No. 16/2020 in the said revisional application the learned Sessions Judge disposed of the same holding that the opposite party/wife is awarded an interim maintenance of Rs. 9,000/- per month from the date of filing of the revisional application.

The observations of the learned Sessions Judge was passed on the factum that the present petitioner happens to be primary

school teacher, having regard to the same, I am of the opinion that as the amount, which has been awarded by way of interim maintenance pending final determination of the award which is to be decided after the trial is over, I am of the view that no interference is called for in respect of the aforesaid order. The petitioner would be at liberty to ventilate his grievance in accordance with law during the trial of the proceedings.

With the aforesaid observations, the present revisional application being CRR 4109 of 2022 is disposed of.

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]**