

28.02.2023
Item No.34
Ct. No.236
S.A.

CRR 4064 of 2011

In the matter of : Biplab Chatterjee
...petitioner

Mr. Narayan Prasad Agarwal
Mr. Pratick Bose
...for the State

This Criminal Revisional Application challenges the order passed by learned Judicial Magistrate, 3rd Court, Barrackpore on 28th July, 2011 in a proceeding under Section 125 of the Code of Criminal Procedure being M. Case No.296 of 2010.

None is appearing on behalf of the petitioner. Instead of adjourning the matter suo motu, I intend to dispose of the same on merit taking into consideration the materials made available with the record.

Depicting herself as legally married wife of Sri Biplab Chatterjee, Smt. Suparna Chatterjee filed a case under Section 125 of the Cr.P.C. seeking maintenance. Admitting the petitioner before the learned Trial Court as his legally married wife, the husband denied the allegations made by his wife in the proceeding before the learned Judicial Magistrate.

Learned Magistrate after considering the case of respective parties was pleased to grant the prayer for ad interim maintenance and directed the opposite party/husband to pay a sum of Rs.6000/- per month to

his wife towards interim maintenance from the date of filing of the petition and to pay the arrears of maintenance by 28 monthly installments of Rs.3000/- each. The petitioner before this court being the husband has incurred the responsibility to maintain his wife and considering the cost of living, I do not find any reason to interfere with the order of interim maintenance passed by the learned Judicial Magistrate, 3rd Court, Barrackpore. This Revisional Application is bereft of merit and is dismissed.

Interim order of stay, if any, stands vacated.

Let a copy of the order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)