

D/L70
22.06.2023
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C.R.R.4296 of 2022

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Amitava Bera
Versus
Smt. Sutrishna Bera (Samanta)

Ms. Devi Priya Mitra.
...for the petitioner.

Ms. Mitra, learned advocate appearing for the petitioner submits that the petitioner is only earning Rs.8000/- per month and he has been saddled with the liability of interim maintenance of Rs.5,000/- per month in an application under Section 125 of the Code of Criminal Procedure. The aforesaid quantum has been decided by way of interim measure while the main application under Section 125 of the Code of Criminal Procedure is pending.

There is ample scope of evidence to be adduced by the petitioner in course of the trial for proving his capacity of earning. Petitioner, as such, is granted liberty to canvass such points, which have been advanced in the present revisional application in course of trial. Learned Magistrate will consider and same and will not hesitate to amend and modify the quantum if he is satisfied with the contentions of the present petitioner.

With the aforesaid observations, CRR 4296 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly

downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)