

24.11.2023
Item No.225
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 4310 of 2023

In the matter of : **Sri Gorachand Bandopadhyay** ... Petitioner.

Mr. Akash Dutta ... For the Petitioner.

Petitioner is aggrieved by the fact that the amount of maintenance has been enhanced from a sum of Rs.4000/- per month to a sum of Rs.10000/- per month. Learned advocate appearing for the petitioner challenges the order passed in Criminal Revision No. 14 of 2019 wherein the learned revisional court fixed such quantum holding the yearly income to be Rs.2,49,079/-. Learned advocate submits that that the petitioner is presently not working and is merely engaged in a shop.

These are materials which have been produced before this Court which were never before the learned trial court. Accordingly, if the petitioner intends to adduce evidence, the petitioner would be at liberty to file application under Section 127 of the Code of Criminal Procedure Code.

This Court while exercising its jurisdiction under Section 482 of the Code of Criminal Procedure, will never interfere so far as the findings are concerned which are based on documents and not marked as exhibit. The statutory remedy under Section 127 of the Code of Criminal Procedure Code is available. The petitioner would be at liberty to approach the jurisdictional court invoking such provisions.

With the aforesaid observations, the revisional application being CRR 4310 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)