

13-12-2023
Subha
Item no. 288
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 4710 of 2023

Pradipta Basak.
-versus-
The State of West Bengal and Anr.

Mr. Parvez Anam
Ms. Rituparna Ghosh
.....for the petitioner.

The revisional application has been preferred against the judgement and order dated 16-08-2022 passed by the learned Judicial Magistrate, 2nd court, Malda in Case No. M63 of 2018 which is a proceeding under Section 125 of the Code of Criminal Procedure.

The grievance of the petitioner is that the petitioner is earning by way of private tuition an amount of Rs.5000/- still learned Magistrate has awarded maintenance of Rs.4000/- to the wife and Rs.3000/- to the minor daughter. Learned advocate further submits that quantum so decided is beyond his means and none of the contentions was at all taken into account by the learned Magistrate while arriving at a finding in respect of the quantum of maintenance to be awarded.

I have taken into account the submissions advanced as well as the reasonings assigned by the learned Judicial Magistrate. On appreciation of the same, no interference is called for by this court, however, the petitioner will be at liberty to invoke the jurisdiction under Section 125 of the Code of Criminal Procedure if there are changed circumstances who would consider the same in accordance with law and dispose of the same at the earliest.

With the aforesaid observations, the revisional application being CRR

4710 of 2023 is 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]