

05.03.2024

Item No.9
Ct.No.34
dc.

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

C.R.R. 134 of 2024

In the matter of : **Smt. Shyamali Basak (Pramanick)**
... Petitioner.

Mr. Sambhunath De ... For the Petitioner.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar ... For the Opposite Party.

Learned advocate appearing for the petitioner has challenged the order dated 12.12.2023 passed by learned Judicial Magistrate, 2nd Court, Barrackpore in M. Case No. 807 of 2022 under Section 125 of the Code of Criminal Procedure. The said order dated 12.12.2023 relates to interim maintenance being awarded to the present petitioner/wife which is a sum of Rs.3000/- per month.

Learned advocate appearing for the petitioner claims that the opposite party/husband happens to be an assistant teacher of a school.

So far as the quantum of salary is concerned, the learned advocates for the petitioner and the opposite party dispute the same. Learned advocate for the opposite party emphasises on the issue relating to an elderly brother as well as a loan which has to be reimbursed by the opposite party/husband and which is a huge amount and has to be paid out of the salary of the opposite party.

I have taken into account the submissions of the learned advocates appearing for the petitioner and the opposite party. Having regard to the nature of employment

with which the opposite party/husband is associated, I am of the view that for the ends of justice, a sum of Rs.9000/- per month as interim maintenance would suffice the purpose. Accordingly, the order dated 12.12.2023 is set aside.

The learned Judicial Magistrate, 2nd Court, Barrackpore would direct that the interim maintenance be paid to the tune of Rs.9000/- per month. The husband/opposite party will pay a sum of Rs.3000/- per month from the date of the application till November 2023 and on and from 12.12.2023 a sum of Rs.9000/- per month would be paid and to that extent the petitioner/wife will be entitled to claim maintenance.

With the aforesaid observations, the revisional application being CRR 134 of 2024 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.)