

07-02-2024
Subha
Item no. 21
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 373 of 2024

Md. Sarfaraz Nawab
-versus-
Darakhshan Sarfaraz Nawab

Mr. Debasis Kar

....for the petitioner.

Petitioner is aggrieved by the factum of the maintenance amount being enhanced in criminal revision no. 710 of 2022 by the learned Additional Sessions Judge, Fast Track, court no.2, Barrackpore by its order dated 30th November, 2023.

The petitioner initially appeared but subsequently did not participate in the proceedings and as such the revisional court was compelled to proceed ex parte.

Learned advocate for the petitioner submits that although the petitioners happens to be a software engineer but presently he is unemployed. The question of employment, earnings and unemployment relates to question of facts. The same cannot be summarily decided. The petitioner would be at liberty to take an application under Section 127 of the Code of Criminal Procedure to demonstrate if any change of circumstances have taken place. No interference can be made by this court.

With the aforesaid observations, the revisional application being 373 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

Learned magistrate would see to that if any application is filed, the same may be disposed of as expeditiously as possible after service of notice upon the affected party/parties.

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]