

01.03.2024

Item No.64
Ct.No.34
dc.

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

C.R.R. 960 of 2023

In the matter of : **Sri Bishnu Sankar Pradhan** ... Petitioner.

Mr. M. Chatterjee,
Mr. Akash Sarkar ... For the Petitioner.

The petitioner has challenged the judgement and order dated 27.07.2022 passed by learned Judicial Magistrate, 1st Court, Contai in Misc. Case No. 20 of 2016 (T.R. No. 552 of 2016). The issue of grievance relates to quantum of maintenance being awarded. I find that the learned Magistrate has awarded a sum of Rs.3000/- per month to the wife and Rs.2000/- per month to the minor son.

Having regard to the quantum so awarded and the concept of able-bodied theory which is made applicable in cases of determining quantum of maintenance, I am of the view that the amount so awarded by the learned Judicial Magistrate, 1st Court, Contai do not call for any interference.

However, if there are any change of circumstances, the petitioner would be at liberty to take out an application under Section 127 of the Code of Criminal Procedure before the learned Judicial Magistrate, 1st Court, Contai.

The revisional application being CRR 960 of 2023 is, thus, dismissed.

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.)