

C. R. R. No. 2120 of 2025

In Re: An application under Sections 482 read with Section 483 of the Code of Criminal Procedure corresponding to Section 528 read with Section 529 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 12.05.2025 in connection with M. Case No. 182 of 2024.

And

In Re: ***Sumana Banerjee***

... .. Petitioner

Mr. Abhijit Singh,
Mr. Debottam Das,
Ms. Sarmistha Basak

... .. for the petitioner

1. The instant criminal revision has been preferred for expeditious disposal of the proceeding being Misc. Case No. 182 of 2024 under Section 125 Cr.P.C. pending before the learned Magistrate, 2nd Court, Barrackpore, North 24 Parganas.
2. It is the contention of the learned counsel for the petitioner that the petitioner has filed the application under Section 125 Cr.P.C. for getting maintenance from her husband in the month of March, 2024 though the opposite party has filed his respective objection against the interim prayer but the interim prayer of the petitioner for maintenance has not been considered or disposed of by the learned Magistrate. He prayed for necessary order for expeditious disposal of the matter.
3. Having heard the learned counsel for the parties and also considering the matter that the destitute lady has approached the learned Magistrate for getting maintenance from her husband in the month of March, 2024 till then one year has already been elapsed but her application for interim maintenance has not been considered.
4. I understand the Diary of the Magistrate may be busy or the learned Magistrate Court is vacant but learned CJM/ACJM concerned may take appropriate steps in those matters wherein the destitute lady can appear before the learned Magistrate for their maintenance.

5. Having considered the above matter, the instant criminal revision is disposed of with a direction to the concerned CJM/ACJM to take necessary steps including transfer of the matter to any other Magistrate so that the application for interim maintenance, filed by the petitioner before the learned Magistrate, may be disposed of as early as possible more preferably within August, 2025, after giving a reasonable opportunity of hearing to the parties.

6. I make it clear that this Court has not entered into the merits of the matter. Learned Magistrate shall take appropriate steps/pass necessary order according to law for disposing of the interim maintenance application of the petitioner without giving unnecessary adjournment to any of the parties.

7. Under the above circumstances, this criminal revision is disposed of.

8. Photostat certified copy of this order, if applied for, be furnished to the parties upon compliance of all necessary formalities.

(Subhendu Samanta, J.)