

S/L-05
10-06-2025
KOLE / ss

CRR 2452 of 2025

Hasmat Ali Khan @ Hasmat Khan
-Vs.-
Massammat Rasada Bibi (Khatun)

Mr. Sekhar Kumar Basu, Sr. Adv.
Mr. D. Basu,
Mr. N. Acharya,

... for the petitioner.

The present revisional application has been preferred praying for quashing of the proceeding in connection with Misc. Ex. Case No. 68 of 2014, under Section 125(3) of the Code of Criminal Procedure, 1973, arising out of Misc. Case No. 15 of 2009, pending before the learned Judicial Magistrate, 3rd Court, Contai, Purba Midnapore including the order dated 15.12.2016, whereby the learned Magistrate issued warrant of arrest against the present petitioner.

It appears that vide order dated 15.12.2016 the trial court has been pleased to issue a warrant of arrest against the petitioner herein for non-payment of maintenance since the year 2015 which amounts to more than rupees nine (9) lacs.

Learned Senior Counsel Mr. Sekhar Kumar Basu, appearing for the petitioner submits that the petitioner intends to deposit a sum of Rs. 5 lacs within three weeks from this day and as such prays for stay of the said warrant of arrest.

Considering the fact that a sum, more than Rs. 9 lacs as maintenance is admittedly due and the petitioner is presently residing at Singapore, this court directs that the warrant of

arrest issued in respect of the petitioner be stayed for a period of eight weeks from date or until further orders, whichever is earlier, **on condition that the petitioner shall pay a sum of Rs. 5 lacs towards arrear maintenance within three weeks from the date of this order and shall pay the balance amount within three weeks thereafter.**

In case the petitioner fails to pay the amount as directed the order of stay granted shall be automatically vacated.

CRR 2452 of 2025 is accordingly disposed of.

(Shampa Dutt (Paul), J.)