

**Item 11.08.
No. 2025
34**

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

Ct 32

CRR 2841 of 2022

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Bablu Rahaman
Vs.
Marzina Begum & Ors.

Mr. Goutam Misra
Mr. Vaskar Pal ... for the petitioner.

Mr. Bidyut Baran Biswas,
Mr. Ranjit Rath. ... for the opposite parties.

1. This revisional application has been filed assailing the order dated 25.02.2022 passed by the Learned Additional Session Judge, 4th Court, Krishnanagar, Nadia in connection with Appeal No. 03 of 2020, wherein Learned Appellate Court affirmed the order passed by the Learned Trial Court under Section 29 of the D.V. Act in connection with Misc. Criminal Case No. 8899(iv)/2014 thereby directing petitioner herein to pay Rs. 3000/- per month to the wife/opposite party No.1 herein and Rs. 2000/- per month to his younger son/opposite party No.2 herein as monetary relief including medical expenses.
2. Learned counsel appearing on behalf of the petitioner has submitted that it is not disputed that younger son of the petitioner has already attained the age of majority and, therefore, maintenance could not be awarded with

respect to the younger son of the petitioner.

3. On the other hand, learned counsel appearing on behalf of the opposite parties has also submitted that younger son has indeed attained the age of majority and he is not entitled to any maintenance.
4. After careful perusal of both the orders passed by the learned Trial Court as well as learned Appellate Court, I find that both the Judges granted Rs.2000/- per month to the younger son of the petitioner ignoring the fact that younger son of the petitioner had already attained the age of majority.
5. Considering all facts and circumstances as well as submission advanced on behalf of the parties, I am of the humble opinion that the younger son of the petitioner is not entitled to get any maintenance within the meaning of Section 125 of the Code Criminal Procedure.
6. Accordingly, the order of maintenance stands modified as follows:-

“Petitioner/husband is directed to pay Rs.3000/- per month to the opposite party No.1/wife within first 10 days of each succeeding month from the date of order passed by the learned Trial Court”.
7. Learned counsel appearing on behalf of the opposite party no.1/wife has prayed for enhancement of the interim maintenance.
8. Liberty is given to the opposite party No.1./wife to submit appropriate application before the learned Trial

Court for enhancement of the interim maintenance.

9. With the aforesaid observation, the revisional application stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)