

02.09.2025

Ct. No. 237

Sl. No.18

SG

In the High Court at Calcutta

Criminal Revisional Jurisdiction

C. R. R. 3547 of 2025

In Re: ***Prithwish Dutta.***

... Petitioner

Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Majhi,
Ms. Sadia Parveen.

... for the petitioner

1. The instant revisional application has been filed by the petitioner husband in respect of a case under Section 125 of the Code of Criminal Procedure pending before learned Judicial Magistrate, 5th Court, Alipore, South 24 Parganas.
2. By an order passed in ACM 164 of 2023 passed on 16.07.2024, the prayer of the private opposite party-wife for interim maintenance was allowed by learned Judicial Magistrate. The present petitioner being the husband was directed to pay of sum of Rs.10,000/- per month to the petitioner in ACM 164 of 2023 as interim allowance for herself and Rs.5,000/- per month as interim maintenance to each of the child payable by 10th day of each succeeding month.
3. Being aggrieved with such order passed by learned Judicial Magistrate, the petitioner filed a revisional application being Criminal Motion Case No. 326 of 2024. By a judgment and order dated 13.05.2025 the criminal motion filed on behalf of the present petitioner was dismissed, affirming the order passed by the learned Judicial Magistrate.
4. It may be noted that the proceeding taken by the petitioner which resulted in the impugned order was as against order for payment of interim maintenance to his wife and children. Learned Counsel for the

petitioner submits that the original petition under Section 125 of the Code of Criminal Procedure is yet to be disposed of by the learned Judicial Magistrate.

5. In the facts and circumstances of the case, it transpires that the petitioner was directed to pay an interim maintenance to the wife and children. The said order was upheld by the learned Revisional Court, though, the same was an interim order.

6. In the facts and circumstance of the case, it would be appropriate to dispose of the instant revisional application by directing the learned Judicial Magistrate to dispose of the application under Section 125 of the Code of Criminal Procedure pending before the learned Judicial Magistrate, 5th Court, Alipore, South 24 Parganas as early as possible without granting unnecessary adjournments to the parties, preferably within a period of six months from date.

7. With such observations, the instant Revisional Application being CRR 3547 of 2025 stands disposed of.

(Md. Shabbar Rashidi, J.)