

18.3.2025
Ct. No. 40
Item No.25
Samarpita

CRR 4359 of 2024

In Re: - An application under Section 438/442 read with Section 528 of the BNSS, 2023; (under Section 397/401 read with Section 482 of Code of Criminal Procedure, 1973, in connection with Misc. Case No. 284 of 2022 under Section 12 of the Protection of Women from Domestic Violence Act, 2005

And
Mousumi Dutta
Vs.
The State of West Bengal & Anr.

Md. Shadab Siddique

... for the Petitioner

Mr. Partha Sarathi Das, (through Virtual Mode)

Mr. S. Sharkar,

Mr. Sumon Halder

... for the opposite party

Affidavit of service filed on behalf of the petitioner is taken on record.

This is an application praying for enhancement of quantum of ad interim maintenance filed by the aggrieved wife.

The petitioner filed an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in the Trial Court before the learned Judicial Magistrate, 2nd Court at Barrackpore, North 24 Parganas in connection with Misc. Case No. 284 of 2022.

The learned Trial Court, in terms of the order dated 6.11.2023, allowed the interim maintenance of Rs.1,000/-

(Rupees One Thousand only) for the wife and Rs. 1,000/- (Rupees One Thousand only) for the son considering the declaration of asset filed by the husband stating therein that he has monthly income of Rs. 8,000/- (Rupees Eight Thousands only) per month.

An appeal was preferred before the Learned Sessions Judge which was disposed of upholding the order passed by the learned Trial Court.

Heard the learned Counsels for both the parties.

The parties herein shall adduce the evidence to substantiate their cases and the learned Trial Court is supposed to pass considered order on appreciation of evidence. However, for the time being the quantum of maintenance is enhanced to Rs.1,500/- (Rupees One Thousand and Five Hundred only) per month for the wife and Rs.1,500/- (Rupees One Thousand and Five Hundred only) for the son with effect from the month of March, 2025.

Accordingly, the instant Criminal Revision being **CRR 4359 of 2024** stands disposed of.

Learned Trial Court expected to expedite the hearing. It is made clear that this observation and direction made herein shall not influence the learned Trial Court in any manner whatsoever.

The instant Criminal Revision being **CRR 4359 of 2024** stands disposed of.

Urgent certified photocopy of this order, if applied for, shall be supplied to the parties upon compliance of all necessary formalities.

(Sugato Majumdar, J.)