

CRR 4420 of 2024

In Re: - An application under Section 482 of Criminal Procedure Code read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 an order dated 31.08.2024 passed by Chief Judicial Magistrate, Howrah in connection with Misc. Case No. 439 of 2023

And

Sri Snehangshu Chakraborty
Vs.
Smt. Sikha Chakraborty & Anr.

Mr. Tapash Kumar Bhattacharya,
Mr. Aviroop Bhattacharya,
.....For the Petitioner.

Mr. Dipanjan Dutt,
.....For the Opposite Party.

The instant application is filed under Section 482 of Criminal Procedure Code read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 against the order dated 31.08.2024 passed by the Chief Judicial Magistrate, Howrah in connection with Misc. Case No. 439 of 2023.

This Court has received Trial Court Records and perused the same.

Heard the learned Counsel for the petitioner as well as the State.

In terms of the impugned order the learned Trial Court allowed interim maintenance to the mother, namely, the opposite party at the rate of Rs. 23,000/- (Twenty Three Thousand) per month. The quantum of maintenance is

challenged by the petitioner being the son. Since the Trial is pending, this Court is not inclined to pass any final order. The Trial Court shall pass order on the basis of evidence adduced. Trial should be expedited in this regard. For the time being the interim maintenance is modified to Rs. 20,000/- (Twenty Thousand) per month w.e.f. the date of application filed in the Trial Court.

However, the learned Counsel for the petitioner is requested to communicate to the petitioner being the son to provide necessary medical assistance for her mother.

It is made clear that it is not an order of this Court.

The instant application stands disposed of.

Trial Court Records be returned to the Learned Court below.

Trial should be expedited.

It is made clear that the observation is tentative.

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

(Sugato Majumdar, J.)