01.10.2026
Sl.No. 15
Ct. 39
Amalranjan

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR/134/2026
SUMANTA CHOWDHURY
VS
THE STATE OF WEST BENGAL AND ANR

Mr. Bratin Kumar Dey
Mr. Joydeep Das

...for the petitioner

1. The petitioner has preferred this Revisional application being aggrieved by and dissatisfied with the impugned order dated 12.11.2025 passed by the learned Sessions Judge, Nadia, in Criminal Motion Case no. 48 of 2025.

2. By the said impugned order, the learned Judge rejected the application contending that the Revisional application is not maintainable. The said Criminal Motion Case arose out of order dated 14.08.2025 passed by the learned Judicial Magistrate, 6th Court at Krishnanagar, Nadia in Misc. Criminal Case no. 336 of 2023 under Section 125 Cr.P.C. whereby the petitioner was directed to pay of Rs. 15,000/- per month as interim maintenance.

3. Learned counsel appearing on behalf of the petitioner submits that the Trial Court did not consider the actual facts that the opposite party/ wife suppressed the facts while filing the affidavit of assets and liabilities as well as the complaint made before the learned Judicial

Magistrate. The allegations made by the opposite party in the application are false and fabricated only to harass the petitioner without realm and reason.

4. It is further submitted that the petitioner's actual income is Rs. 46,660/- and he has several liabilities towards his parents and has to pay loan EMI every month, he had taken.

5. Having heard the submission of the learned counsel and considered the facts and circumstances of the case and nature of complaint by the petitioner and other materials available on record, this court finds that there is an undisputed fact that the opposite party is legally married wife. However, there are several allegations against her. She is a qualified lady and she could have earned money on her own for maintaining herself but she filed the application only to harass the petitioner. The petitioner/husband is still ready to lead his conjugal life with the opposite party/wife peacefully if she wishes for the same.

6. Considering the overall facts, this court prefers to dispose of the case with a direction to the Trial Court to dispose of the proceeding being Misc. Criminal Case No. 336 of 2023 pending before the Trial Court under Section 125 Cr.P.C upon giving opportunity to the parties independently and in accordance with law as expeditiously as possible without granting unnecessary adjournment to the parties and without being influenced

by any of the observations made by this court, subject to payment of Rs. 12,000/- in place of Rs. 15,000/- and the petitioner shall go on to pay Rs. 12,000/- as interim maintenance from the date of filing of the maintenance application.

7. With above observations, **CRR 134 of 2026** stands disposed of.

8. Consequently, the connected application, if any, stands disposed of.

9. Interim order, if any, stands vacated.

10. Let a copy of this order be communicated to the learned court below forthwith.

11. All parties shall act in terms of the copy of this order downloaded from the official website of this court.

12. Concerned Department is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Ajay Kumar Gupta, J.)