01.10.2026
Serial nos. 07
[AN]
Ct. No. - 39

CRR/689/2024

In re : An Application under Section 482 of the Code of Criminal Procedure, 1973

-And-

In the matter of : CHIRANJIT MAJUMDER

… … Petitioner.

1. None appears on behalf of either of the parties on call neither any accommodation has yet been sought for.
2. Even on earlier occasion, the petitioner was not represented.
3. This matter is pending since 2024.
4. Considering the pendency of the case since 2024 and nature of prayer of the petitioner, this Court prefers to adjudicate this Revisional application based on materials available on record.
5. The brief facts of the case are that the instant Revisional application has been filed at the behest of the petitioner/ husband assailing the order dated 21st November, 2023 passed by the learned Additional Chief Judicial Magistrate, 2nd Court, Kalyani, Nadia in Misc. Case No. 289 of 2022 thereby the learned Magistrate directing the petitioner to pay a sum of Rs. 15,000/- p.m. to the opposite party/wife from the date of filing of the case under Section 125 of the Criminal Procedure Code, 1973 as interim maintenance and also to pay the arrear amount in three equal instalments started from 3rd December, 2023.

6. Upon perusal of the materials on record as well as the judgment passed by the learned trial court on 21st November, 2023, this Court finds both the parties have filed their assets and liabilities before the learned trial court. From the affidavit-of-assets, it appears that the petitioner is a constable in BSF and his earning was indicated as Rs. 55,443/- p.m. He also indicated that he has taken loans and he has to pay a lump sum amount of E.M.I. from his salary.

7. It further appears from the judgment passed by the learned Magistrate that the learned Magistrate considered the facts and circumstances of the case as well as assets and liabilities filed by both the parties and held that the object of Section 125 of the Criminal Procedure Code is very clear and that to prevent the destitute lady from starvation and vagrancy. It does not appear from the record that she has her own income to maintain herself. The amount considered by the learned Magistrate to the tune of Rs. 15,000/- p.m. as interim maintenance is found reasonable and just considering the overall income and other assets and liabilities of the parties. Therefore, this Court does not find any merits in the present Revisional application and the same fails. The impugned order passed by the learned trial court calls for no interference.

8. Accordingly, **CRR 689 of 2024** stands **dismissed**.

9. Connected applications, if any, also stand dismissed.

10. Interim order, if any, stands vacated.

11. Let a copy of this order be communicated to the learned trial court for necessary compliance.

12. All concerned parties shall act on the server copy of this order duly downloaded from the official website of this Court.

13. The concerned Department is directed to supply urgent certified Photostat copy of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Ajay Kumar Gupta, J.)