

Criminal Appeal No. 3 of 2026

Sri Indrajit BanerjeePetitioner

-Vs-

1) Smt. Surobhi Banerjee

2) The State of West Bengal.Respondents

Order No. 01

13.02.2026

The Criminal Appeal has been filed by the petitioner praying for admit the Criminal Appeal and setting aside the judgment/order dated 09.12.2025 passed by the Ld. Judicial Magistrate, 2nd Court, Purulia u/s 23(1) of the Protection of Women from Domestic Violence Act, 2005, of Misc Case No. 227 of 2024 and has also filed one petition for staying the operation of impugned order till disposal of the Criminal Appeal.

Copy served to the Ld. PP.

It appears from the certified copy of impugned order that the instant Criminal Appeal has been filed within the statutory period of limitation and it be admitted.

The stay petition is taken up for hearing.

The instant Criminal Appeal has been filed against the judgment/order passed by Judicial Magistrate, 2nd Court, Purulia dated 09.12.2025 in Misc Case No. 227 of 2024 wherein the Trial Court has allowed interim maintenance to the tune of Rs.15,000/- per month to the Respondent No.1/ wife.

It is the contention of the Ld. Advocate in Criminal Appeal is that petitioner is an employee under a Company and he earns Rs. 42,000/- per month and the Trial Court has passed the impugned order and according to the Ld. advocate of the petitioner of the Criminal Appeal, such quantum of maintenance is excessive.

Heard the Ld. Advocate.

Perused the application and the certified copy of the impugned judgment/order.

Considered.

On perusal of the same I am of the opinion that the impugned judgment/order dated 09.12.2025 passed by the Trial Court be stayed till the disposal of Criminal Appeal on condition that petitioner shall go on of Rs.14,000/- per month to the Respondent No.1/wife within 10th day of each succeeding month of English calender.

Issue notice upon the Respondent No.1.

To 16.03.2026 for SR and appearance.

Requisite at once.

Let a copy of this order be sent to the Court of Judicial Magistrate, 2nd Court, Purulia for information.

D/C by me

Sessions Judge, Purulia

Sessions Judge, Purulia
(J.O. Code : WB00587)