

CRR 3174 of 2025

**Prasenjit Dey
Vs.
The State of West Bengal & Ors.**

Mr. Soumik Ganguli,
Ms. Priti Burman.

...for the petitioner

The petitioner herein is aggrieved by the order passed by the Court below dated 10th April, 2025 in Criminal Revision No. 30 of 2023.

By the impugned order the Court below modified the order passed by the learned Judicial Magistrate and thereby granted maintenance of Rs.10,000/- to opposite party no. 1/wife and Rs.8000/- to opposite party no. 2/daughter, total is Rs.18,000/- per month from the date of filing of the maintenance application within 10th of each succeeding month.

Being aggrieved by the aforesaid order, learned counsel for the petitioner submits that his take home salary is about Rs.36,000/-. Both of his parents are also dependent upon the petitioner for whom the petitioner has to spend Rs.15,000/- per month.

Therefore, the order impugned is not in conformity with the assets and liabilities disclosed by the parties before the Court below and therefore, it requires revision.

Having heard the learned counsel for the petitioner, the application is admitted.

The petitioner is directed to serve a copy of the application upon the State through the office of the Public Prosecutor, High Court, Calcutta and upon the opposite parties through speed post intimating next date of hearing and to file affidavit-of-service on the returnable date.

Let the matter appear in the monthly list of June, 2026.

Learned counsel for the petitioner also prays for stay of the impugned proceeding.

Having heard the learned counsel for the petitioner the impugned order Dated 10th April, 2025 passed in Criminal Revision No. 30 of 2023 is hereby stayed on condition that the petitioner shall go on paying Rs.9,000/- to the wife/opposite party No. 1 and Rs.7,000/- to his daughter/opposite party no. 2, total is Rs.16,000/- per month towards the maintenance from the date of filing of the maintenance case within 10th of each succeeding month.

If the petitioner defaulted in paying maintenance has stated above for any month, the order of stay shall automatically stand vacated.

(Dr. Ajoy Kumar Mukherjee, J.)