

October 18, 2024
31 (Ct 7) ARDR/S.D.

CRR 4579 of 2024

Dipak Kumar Roy
Vs.
The State of West Bengal & ors.

Adv. Sanyet Singh,
Adv. Allen Felix,

...for the petitioner.

Learned advocate for the petitioner is present.

Heard learned counsel for the petitioner.

This revisional application is directed against the judgment dated 20th June, 2024 passed by the learned Chief Judicial Magistrate, Krishnanagar, Nadia. Learned Magistrate in the said judgment enhanced the maintenance amount from Rs.10,000/- per month to Rs.20,000/- per month. Learned advocate for the petitioner submits that the petitioner is a retired person and is a heart patient and these aspects were not taken into consideration at the time of passing of the judgment.

Upon considering the facts of the case and the quantum of maintenance awarded under Section 127 of the Code of Criminal Procedure, this Court is of the view that this revisional application should be admitted.

Thus, I admit the revisional application.

The petitioner is directed to serve a copy of the application along with annexure thereto upon the opposite parties and file affidavit of service within one week from the date of reopening after vacation.

Let the matter appear under the heading 'Contested Application' three weeks from the date of reopening after vacation.

In the meantime, the petitioner shall go on paying the opposite party a sum of Rs.10,000/- as maintenance per month. There shall

be stay of the order dated 20th June, 2024 passed by learned CJM, Nadia in Misc. Criminal Case No. 244 of 2022 for a period of three weeks from the date of reopening after vacation.

(Biswaroop Chowdhury, J.)