

GAHC040012152021



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : Crl.Rev.P. 21/2021

1:Joram Appa S/o Lt. Joram Tago,
Residing at Pappu Nallah, Naharlagun, PO/PS Naharlagun, District Papum Pare,
Arunachal Pradesh. Mob. No 8131821238

VERSUS

1:Techi Yakar D/o Shri Techhi Murkhi,
Resident of Model Village, PO/PS Naharlagun, District Papum Pare, Arunachal
Pradesh

Advocate for the Petitioner : Neelam Taje

Advocate for the Respondent : Bomchi Taipodia
T Torum

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 17.05.2023

Heard Mr. Neelam Taje, learned counsel appearing on behalf of the petitioner.
Also heard Mr. T. Torum, learned counsel, appearing on behalf of the sole respondent.

This criminal revision petition is directed against the order, dated 18.11.2021, passed in Misc. Case No. 90/2021 in Maintenance Case No. 10/2015 u/s. 125 of the Code of Criminal Procedure, 1973, by the Judicial Magistrate, First Class, Capital Complex, Yupia, whereby, the petitioner herein, was directed to pay a sum of Rs.

2,50,000/- to the respondent on or before the next date which was fixed on 16.12.2021.

This Court, vide order, dated 15.12.2021, while staying the operation of the impugned order, dated 18.11.2021, passed in Misc. Case No. 90/2021 in Maintenance Case No. 10/2015 u/s. 125 of the Code of Criminal Procedure, 1973, by the Judicial Magistrate, First Class, Capital Complex, Yupia, had directed the petitioner to pay a sum of Rs. 1 lakh to the respondent in 2(two) installments: Rs. 50,000/- within a week and thereafter, another Rs. 50,000/- within a period of 4(four) weeks, by depositing the said amount in the Court of Judicial Magistrate, First Class, Capital Complex, Yupia.

Pursuant thereto, it has been brought on record that the present petitioner till date, has paid altogether Rs. 4,20,000/- to the respondent herein, the receipt of which amount by the respondent has also been acknowledged by Mr. Torum, learned counsel for the respondent.

Since the order put to challenge is dated 18.11.2021, passed in Misc. Case No. 90/2021 in Maintenance Case No. 10/2015 u/s. 125 of the Code of Criminal Procedure, 1973, by the Judicial Magistrate, First Class, Capital Complex, Yupia, whereby, a sum of Rs. 2,50,000/- was directed to be paid to the Respondent herein, by the petitioner on or before the next date which was fixed on 16.12.2021, and the petitioner having paid to the respondent, more than the amount directed in the impugned order, dated 18.11.2021, and also taking into account the fact that the maintenance case being Maintenance Case No. 10/2015 is still pending adjudication before the Court of the Judicial Magistrate, First Class, Capital Complex, Yupia; I am of the considered view that this criminal revision petition can be closed with a liberty granted to the parties to contest the Maintenance Case No. 10/2015 before the Court of the Judicial Magistrate, First Class, Capital Complex, Yupia.

In view of the above, this criminal revision petition is hereby closed and accordingly, stands disposed of.

JUDGE

Comparing Assistant