

Court No. - 82

Case :- CRIMINAL REVISION No. - 1771 of 2023

Revisionist :- Riyaz Ahmad

Opposite Party :- State of U.P. and Another

Counsel for Revisionist :- Ganesh Kumar

Counsel for Opposite Party :- G.A.,Mohd Abdullah
Tehami,Shahabuddin,Syed Mohammad Nawaz

Hon'ble Ms. Nand Prabha Shukla,J.

Heard learned counsel for the revisionist and learned AGA for the State.

The instant criminal revision has been preferred by the revisionist against the impugned judgement and order dated 25.01.2023 passed by the Principal Judge, Family Court, Gorakhpur in Criminal Case No. 175 of 2019 (Computerized Case No.C.N.R. UPGK020007362019) (Mabiya Hamid v. Riyaz Ahmad) under Section 125 Cr.P.C., Police Station Gorakhnath, District Gorakhpur whereby the revisionist was directed to pay an amount of Rs. 12,000/- per month in favour of opposite party no. 2 as maintenance from the date of application

Learned counsel for the revisionist submits that the order dated 25.01.2023 is an ex-parte order granting maintenance to the opposite party no.2.

Learned AGA has raised an objection that learned counsel for the revisionist may move an application under Section 126 Cr.P.C. giving him an opportunity of hearing.

Keeping in view the aforesaid facts and circumstances, this revision is disposed of with a direction that in case the application is moved by the revisionist under the appropriate provision within a period of one month from today, the same shall be considered and decided in accordance with law, as expeditiously as possible, if there is no other legal impediment.

With the aforesaid observation, the criminal revision is **disposed of**.

Order Date :- 6.12.2023

A.N. Mishra