

Court No. - 90

Case :- APPLICATION U/S 482 No. - 39017 of 2023

Applicant :- Kashyap

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

Counsel for Applicant :- Dheeraj Kumar Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The present applicant has invoked the inherent power of this Court under Section 482 Cr.P.C. beseeching the quashing of order dated 07.07.2023 passed by Additional Family Judge, Family Court, Jalaun at Orai allowing the application for maintenance under Section 125 Cr.P.C. granting maintenance to the wife and minor children.
3. Learned A.G.A. has raised preliminary objection with respect to the maintainability of the instant application under Section 482 Cr.P.C. on the ground of availability of alternative remedy to approach before the appropriate Court.
4. It is submitted that the order passed under Section 125 Cr.P.C. is revise-able.
5. Learned counsel for the applicant has not refuted the said legal proposition as submitted by learned A.G.A.
6. In this conspectus, as above, the instant application is dismissed on the ground of availability of alternative remedy to approach before appropriate forum as advised.
7. Office is directed to return the certified copy of documents annexed in the instant application after retaining their photostat copy on the relevant place.

Order Date :- 28.11.2023

Jitendra