

Court No. - 79

Case :- CRIMINAL REVISION No. - 5281 of 2023

Revisionist :- Karan Singh

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

Counsel for Revisionist :- Mukesh Chandra Gupta, Shubham Prakash Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Vipin Chandra Dixit, J.

Heard Sri Mukesh Chandra Gupta, learned counsel for the revisionist and learned AGA for the State. Perused the record.

This criminal revision has been filed against the order dated 31.7.2023 passed by learned Principal Judge, Family Court No.2, Meerut in Case No. 595 of 2014 (Smt. Mukesh Vs. Karan Singh), Police Station Parikshitgarh, District Meerut, by which application filed by opposite party no.2 under Section 125 Cr.P.C. was allowed and the revisionist was directed to pay maintenance of Rs.3500/- per month to opposite party no.2 from the date of application i.e. 29.4.2014.

It is submitted by learned counsel for the revisionist that opposite party no.2 is not wife of revisionist and is not entitled for any maintenance under Section 125 Cr.P.C. It is further submitted that the Family Court, without considering comparative hardship, has awarded very excessive amount of maintenance in favour of opposite party no.2.

The issue no.1 regarding factum of marriage was decided by the learned Family Court in favour of opposite party no.2 on the basis of stand taken by the revisionist. The marriage was admitted by the revisionist in his objection which is paper No. 28-A. In view of above, it is admitted fact that opposite party no.2 is legally married wife of revisionist.

Keeping in mind the spiraling inflation rate and high cost of living index, this Court is of the view that maintenance amount of Rs.3500/- per month awarded by the Family Court in favour of opposite party no.2, cannot be said to be excessive.

In view of above, there is no illegality, infirmity or perversity in the impugned order which may warrant any interference by this Court. The criminal revision filed by husband is liable to be dismissed.

The criminal revision is **dismissed**, accordingly.

However, it is provided that entire outstanding amount as on date, shall be paid by the revisionist in six equal monthly installments to opposite party no. 2, failing which it is open for the opposite party no.2 to execute the award passed by the learned Family Court.

Order Date :- 2.12.2023

P.P.