

**Court No. - 86**

**Case :-** APPLICATION U/S 482 No. - 37976 of 2023

**Applicant :-** Naresh Kumar Pal

**Opposite Party :-** State Of U.P. And 2 Others

**Counsel for Applicant :-** Hari Krishna Singh, Dharendra Kumar Srivastava

**Counsel for Opposite Party :-** G.A., Satyam Narayan

**Hon'ble Rajiv Gupta, J.**

1. Heard learned counsel for the applicant, learned A.G.A. for the State, Sri Satyam Narayan, learned counsel for the opposite party No. 2 and perused the record.

2. The present application under Section 482 Cr.P.C. has been filed for quashing the impugned order dated 26.6.2023 passed by Addl. Principal Judge, Family Court No. 1, Meerut in Case No. 976 of 2018 (Smt. Malti Pal Vs. Naresh Pal), under Section 125 Cr.P.C., District- Meerut.

3. Learned counsel for the applicant has submitted that pursuant to the order dated 26.6.2023, the applicant was directed to pay a sum of Rs. 6000/- per month from the date of application i.e. 4.1.2017. He has further submitted that pursuant to the said order, an amount of Rs. 4,92,000/- stands due to the applicant, which the applicant is ready to pay the entire due amount but in instalments.

4. Learned counsel for the applicant has next submitted that demand draft No. 271579 dated 3.11.2023 for an amount of Rs. 2 lakh in the name of the opposite party No. 2 has also been prepared, which is being handed over to the counsel for the opposite party No. 2, who shall hand over the said draft to the opposite party No. 2 within ten days.

5. Applicant is directed to pay balance amount of Rs. 2,92,000/- to opposite party No. 2 in ten equal monthly instalments alongwith an amount of Rs. 6000/-, which is directed to be paid monthly payable from 11th of December, 2023, and thereafter by the 11th day of every calendar month.

6. Learned counsel for the opposite party No. 2 has no objection to the said instalments.

7. With the aforesaid directions, this application under Section 482 Cr.P.C. is finally disposed of subject to the regular payment of due amount as well as regular monthly maintenance amount to the opposite party No. 2.

8. During this period, no recovery shall be initiated against the applicant provided the aforesaid order is strictly complied with.

9. In case said amount is not deposited within the given time, the court below shall be free to proceed for the recovery of due amount.

**Order Date :- 9.11.2023**

KU