

Court No. - 88

Case :- APPLICATION U/S 482 No. - 39071 of 2023

Applicant :- Shivdeep Singh

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

Counsel for Applicant :- Preet Pal Singh Rathore,Devendra Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

1. Heard Mr. Preet Pal Singh Rathore, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been preferred by the applicant- Shivdeep Singh, who is husband of opposite party no.2-Ritika Sharma and father of opposite party no.3-Aadvik aged about 10 years with a prayer to quash the order dated 30.09.2023 passed by Principal Judge, Family Court, Mirzapur in Misc. Case No.498 of 2020 (Ritika Sharma and others v. shivdeep Singh), under Section 125 Cr.P.C., Police Station- Kotwali Katra, District Mirzapur, whereby interim maintenance application of opposite party nos.2 and 3 has been allowed directing the applicant to pay a sum of Rs.5,000/- per month to the opposite party No.2 (wife) and Rs.3,000/- per month to opposite party no.3 (minor son) towards their interim maintenance.

3. Learned counsel for the applicant submits that the said amount is excessive, therefore, the impugned order dated 30.09.2023 is liable to be quashed.

4. On putting a query about the payment of interim maintenance, he fairly submits that till date no amount of interim maintenance

has been paid by the applicant to the opposite party nos. 2 and 3, whereas the proceedings under Section 125 Cr.P.C. is pending since 2020.

5. Considering the facts and circumstances of this case, I do not find any good ground to interfere in the matter.

6. In view of the above, the application lacks merits and is, accordingly, **dismissed**.

7. Office is directed to communicate this Court's order to the concerned Court below within a week for necessary information.

Order Date :- 21.11.2023

A.N. Mishra