

Court No. - 89

Case :- APPLICATION U/S 482 No. - 41392 of 2023

Applicant :- Mohammad Bilal

Opposite Party :- State Of U.P. And 4 Others

Counsel for Applicant :- Devi Dayal

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned A.G.A for the State as also perused the record.
2. This application under Section 482 Cr.P.C. has been filed to quash the impugned order dated 19.07.2023 in Case No.1234 of 2022 (Rizvana and others vs. Mohammad Bilal), under Section 125 Cr.P.C., Police Station- Shamsabad, District- Agra, pending before the court of Principal Judge, Family Court, Agra.
3. Learned counsel for the applicant has challenged interim maintenance order dated 19.07.2023 by which Principal Judge, Family Court has awarded interim maintenance of Rs.3,500/- to opposite party no.2 and amount Rs.1,000 each to opposite party nos. 3, 4 & 5 from the date of application dated 18.01.2023. Learned counsel for the applicant submits that applicant has filed objection/written statement before the trial court but the same has not been considered and in arbitrary manner allowed the interim maintenance application without any evidence that applicant has paid Rs.360/- per month.
4. Learned AGA opposed the submission made by learned counsel for the applicant.
5. Considered the argument of both the parties and perused the record. From the order dated 19.07.2023, it is apparent that trial court has found that applicant earned Rs.50,000/- per month and interim maintenance order passed after considering the objection raised by learned counsel for the applicant. However, final verdict has yet to come after considering the objection raised by learned counsel for the applicant. Order challenged herein is impugned interim maintenance.
6. In view of above, no interference is warranted at this stage. The application u/s 482 Cr.P.C. is **dismissed**.
7. However, trial Court is directed to decide and conclude the proceeding within a period of four months from the date of production of certified copy of this order.

Order Date :- 8.11.2023

SKD