



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>CRLR/354/2026</u> Mohd Javed --Revisionist Versus State Of Uttarakhand and Another --Respondents <u>Hon'ble Alok Mahra, J.</u> Ms. Nisha Dhami, learned counsel for the revisionist. Mr. J.P. Kandpal, learned A.G.A. for the State of Uttarakhand. Mr. Ravindra Singh Rawat, learned Legal Aid Counsel for respondent no. 2. 2. The present Criminal Revision is accompanied by a Delay Condonation Application seeking condonation of a delay of 130 days in filing the revision. 3. Learned Legal Aid Counsel appearing for respondent no. 2 orally opposed the Delay Condonation Application, contending that no satisfactory explanation has been furnished for the delay. 4. Learned counsel for the revisionist submitted that talks for an amicable settlement between the parties were underway and, therefore, the revision could not be filed earlier. It is submitted that the present revision was preferred only after the settlement talks ultimately failed. 5. Having considered the reasons stated in the application and the submissions advanced on behalf of the revisionist, this Court finds the explanation for the delay to be satisfactory. Accordingly, the delay of 130 days in filing the revision is condoned and the Delay Condonation Application is allowed.



		6. The present Criminal Revision has been filed against the order dated 03.10.2025 passed by the learned Principal Judge, Family Court, Haldwani, District Nainital in Misc. Criminal Case No. 31 of 2025 under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, whereby the learned Family Court allowed the application for interim maintenance filed by respondent no. 2 and awarded interim maintenance of Rs. 8,000/- per month from the date of filing of the application, i.e., 20.01.2025. 7. Learned counsel for the revisionist submitted that the revisionist is earning only about Rs. 12,000/- per month and is not in a financial position to pay the amount of maintenance awarded by the Family Court. It is further submitted that respondent no. 2 is residing in the same house as the revisionist and, therefore, the amount of interim maintenance awarded is on the higher side. 8. Per contra, learned Legal Aid Counsel appearing for respondent no. 2-wife submitted that respondent no. 2 is residing in the house of her parents-in-law. He further submitted that the father of the revisionist has instituted a suit seeking to evict the revisionist from his property; however, despite the pendency of the said suit, the revisionist continues to reside in the same house. It is contended that the said suit has been instituted only with a view to create a defence and avoid the liability of paying maintenance to respondent no. 2-wife. Learned counsel further submitted that the revisionist is running a mobile shop at Haldwani and is the proprietor thereof and, therefore, possesses sufficient means to maintain his wife. 9. Having heard learned counsel for
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			the parties and upon perusal of the record, this Court finds that the impugned order has been passed after considering the material available on record and the prima facie financial needs of respondent no. 2. The grant of interim maintenance is intended to provide immediate financial support to the claimant spouse during the pendency of the proceedings. 10. At this stage, this Court does not find any illegality, perversity, jurisdictional error, or material irregularity in the impugned order warranting interference in exercise of revisional jurisdiction. 11. Accordingly, the Criminal Revision is dismissed. 12. Pending application(s), if any, shall stand disposed of accordingly. (Alok Mahra, J.) 11-08-2026 
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