

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. REVISION APPLICATION NO. 47 OF 2015

Mrs. Aliya Begum w/o. Mohd. Yahiya ... Applicant.

V/s.

Mr. Mohd. Yahiya S/o. Abdul Gafoor & Anr. ... Respondents.

Mr. Ajay Talreja, Advocate for Applicant.

Mr. Niyaz Ahmed, Advocate for Respondent No.1.

Mr. Rajesh More, A.P.P. for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 18th JUNE, 2015

P.C. :

1 Heard the learned counsel for the parties.

2 Perused the order passed by the learned Magistrate. Also perused the order passed by the appellate court. The reasons given by both the courts below are supporting their orders. The respondent-husband has married second time and he has got two children from the second wife. He got married second time because the applicant was not conceiving. In fact that should not have been reason for the second marriage. In any event, since the respondent-husband has got second marriage and his total take home salary is Rs. 35,000/-, the

amount granted by the learned Magistrate is reasonable and proper. The appeal is rightly dismissed by the appellate court.

3 In the result, this Criminal revision application deserves to be dismissed. It is dismissed accordingly.

(JUDGE)

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