

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.14126 of 2013

ORDER :

This Criminal Petition is filed by the petitioner under Section 482 Cr.P.C seeking to quash the order dated 01.04.2013 in CrI.M.P.No.927 of 2012 in M.C.No.82 of 2012 on the file of Judge, Family Court at L.B.Nagar, Ranga Reddy District.

2) Heard.

3) This Court is not chosen to interfere with the quantum of interim maintenance, in view of Section 125 Cr.P.C. amended by Act 50 of 2001 dated 24.09.2001 providing for interim maintenance under Criminal Procedure Code and what the quantum awarded even impugning as excessive no way, since of only Rs.2,000/- each for the wife and minor child and the claim that she is divorced wife and the dispute that she is not divorced with any communication of triple talak to give any divorce as per Khuranic Tenets, requires to be decided by the trial Court after full dressed enquiry.

4) Having regard to the above, by left open any defence in opposing maintainability claim before the trial Court in the final disposal of maintenance matter so also as to any entitlement to the maintenance of the 2nd petitioner of M.C.

5) Accordingly, this petition is closed.

5) Miscellaneous petitions pending, if any, in the Criminal Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

18.11.2015

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