

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2649 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner aggrieved by the order 16.9.2015 passed in CrI.M.P.No.264 of 2015 in CrI.A.No.629 of 2015 by the Additional Metropolitan Sessions Judge, Ranga Reddy District, Cyberabad.

2. The 1st respondent, who is the wife of the petitioner, filed DVC No.15 of 2011 before the VIII Metropolitan Magistrate, Cyberabad at Rajendranagar, against the petitioner and his parents, seeking to pass protection order, residence order, maintenance order and compensation order under Sections 18 to 20 and 22 of the Protection of Women from Domestic Violence Act. On 27.1.2014, the learned Magistrate allowed the DVC against the petitioner-husband and granted protection order, a sum of Rs.6,000/- per month towards residence and maintenance from the month of February, 2012 and Rs.1,00,000/- towards compensation to the 1st respondent. Aggrieved by the same, the petitioner-husband filed CrI.A.No.629 of 2015 before the learned Additional Metropolitan Sessions Judge, Ranga Reddy District. Along with the appeal, he also filed CrI.M.P.No.264 of 2015 seeking to suspend the order passed in DVC No.15 of 2011. The learned Sessions Judge granted stay of further proceedings in pursuance of order dated 27.1.2014 in D.V.C.No.15 of 2011 on the file of VIII Metropolitan Magistrate, Cyberabad at Rajendranagar, on condition of the petitioner depositing all arrears of maintenance as on that day within two weeks and future maintenance at the rate of Rs.4,000/- per month on or before 10th of every succeeding month. The learned Sessions Judge also stayed the order passed by the trial Court with regard to payment of compensation of Rs.1,00,000/- to the 1st respondent. Aggrieved by the conditions imposed by the learned Additional Metropolitan Sessions Judge, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. The main grievance of the petitioner is that two weeks time granted by the learned Sessions Judge while directing him to deposit all the arrears of maintenance is very limited. It is the case of the petitioner that the arrears of maintenance awarded by the trial Court accrued to huge amount and the time granted by the learned Sessions Judge is not sufficient to arrange such huge amount.

5. Considering the facts and circumstances of the case and the above grievance of the petitioner, without interfering with the order under revision, the Criminal Revision Case is disposed of with the following direction:

“The petitioner is directed to pay all the arrears of maintenance as directed by the learned Sessions Judge, in five equal monthly instalments commencing from the month of December, 2015. Rest of the order under revision shall remain.”

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 6.11.2015

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