

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.205 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- BEGUSARAI

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1. Mahendra Ray S/O Late Baudhu Ray Resident Of Village + P.O- Amarpur, P.S- Barouni, District- Begusarai, At Present Posted As A Police Constable Of Patna, Budha Colony Thana Parisar Constable Bairak, District- Patna Petitioner/s
Versus

1. The State Of Bihar

2. Sawitri Devi, W/O Mahendra Ray

3. Ashutosh Kumar, S/O Mahendra Ray

2 and 3 are residence of Village + Post- Amarpur, P.S- Barauni, District- Begusarai.
.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the State : Mr. Ashok Kumar Singh, APP

For O. P. Nos. 2 & 3 : Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

JUDGMENT AND ORDER

ORAL

Date: 14-12-2016

On the basis of a compromise petition in a proceeding under Section 125 of the Code of Criminal Procedure, 1973, in the Court of learned Principal Judge, Family Court, Begusarai, maintenance at the rate of Rs. 10,000/- per month for the Opposite Party No. 2 and Rs. 5,000/- per month for opno.3 has been awarded by the learned Court below by an order, dated 13.01.2014, passed in Case No. 2M of 2013.

2. On perusal of the Lower Court's Record, I find a definite stipulation in the said compromise petition that the said maintenance amount will increase every year at the rate of Rs. 500/- for Opposite Party Nos. 2 and 3, each.

3. This is not in dispute that the Opposite Party No. 2 is the wife of the petitioner; whereas Opposite Party No. 3,



his son.

4. The dispute, which is being raised by the petitioner in the present criminal revision application filed against the order, dated 13.01.2014, by the learned Principal Judge, Family Court, Begusarai, is that his signature on the compromise petition has been taken fraudulently inasmuch as the petitioner had marked his signature only for the purpose of obtaining a date from the Court. It is his plea that the Counsel for the petitioner and the Counsel for the Opposite Parties acted in collusion in getting the said compromise petition filed.

5. This revision application, on the face of it, appears to be vexatious. On perusal of the said compromise petition, I am of the considered view that the claim of the petitioner, as taken in the present revision application, does not appear to be bona fide.

6. This application has no merit and it is accordingly dismissed.

7. In the facts and circumstances of the case, a cost of Rs. 5,000/- is imposed on the petitioner to be paid to the Opposite Party No. 2 within three months from today.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20.12.2016
Transmission Date	20.12.2016

