

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.3114 of 2015

ORDER:

Heard learned counsel for the petitioner, learned counsel for the second respondent and perused the record.

The present Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C. challenging the order dated 10.09.2015 passed in M.C.No.331 of 2011 on the file of the Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court, Hyderabad, wherein the trial Court granted maintenance of Rs.3,500/- per month to the second respondent herein.

A perusal of the material on record would show that the second respondent herein who is the daughter of the petitioner born through his second wife, filed an application under Section 125 Cr.P.C. claiming monthly maintenance at Rs.5,000/-. During the course of trial, the mother of the second respondent was examined as PW.1 and no documents are marked, where as the petitioner got examined himself as RW.1 and marked Exs.R1 to R4. After considering the evidence available on record, the trial Court awarded maintenance @ Rs.3,500/- per month. Challenging the same the present revision is filed.

As seen from the record, there is no dispute with regard to the relationship of the petitioner with the second respondent. The only ground raised by the learned counsel for the petitioner is that the quantum of the maintenance awarded by the trial court is on higher side and hence seeking reduction of the same.

On the other hand, learned counsel for the second respondent submits that the petitioner is doing business and the second respondent who is aged about 14 years requires minimum maintenance for prosecuting her studies and as a father, he has to maintain his daughter.

The petitioner admitted in his cross examination that he had provided all amenities to his children born through his first wife. He also admitted that the second respondent was born through his second wife. He has sent his second wife along with the second respondent from Saudi to India. He also admitted that till today he has not taken any welfare methods towards the second respondent.

In view of the admission made by the petitioner in his evidence before the trial Court that he is doing business and he has got sufficient means to provide minimum necessities and also taking into consideration the amenities provided by him to the children born through his first wife, it cannot be said that the quantum of maintenance awarded by the trial Court is on a higher

side, warranting interference.

Accordingly, the Criminal Revision Case is dismissed at the admission stage. Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE C. PRAVEEN KUMAR

23.03.2016

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