

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.625 of 2016

ORDER:

The present Criminal Revision Case came to be filed under Sections 397 and 401 of Cr.P.C. challenging the order dated 23.10.2015 passed in Crl.M.P.No.811 of 2013 in M.C.No.237 of 2013 on the file of the Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Bomb Blast Case-cum-Additional Family Court, Hyderabad, wherein the trial Court awarded interim maintenance of Rs.8,000/- per month to respondent No.1 herein.

The facts in issue are as under:

The petitioner is the father of respondent No.1 herein. Respondent No.1 herein filed an application under Section 125 Cr.P.C. claiming monthly maintenance at Rs.40,000/-. The averments in the maintenance petition would disclose that the petitioner neglected respondent No.1 by not providing the minimum necessities including his educational expenses. Along with the main M.C., the petitioner also filed Crl.M.P.No. 811 of 2013 seeking interim maintenance. By an order, dated 23.10.2015, the trial Court awarded Rs.8,000/- per month to respondent No.1 herein. Challenging the same the petitioner-father filed the present revision.

Learned counsel for the petitioner mainly submits that the quantum of interim maintenance awarded by the trial Court is on a higher side. He further submits that the mother of respondent No.1 is working as Senior Lecturer and getting salary of Rs.50,000/- per month and that she will look after him. He also submits that it is very difficult for the petitioner to pay a sum of Rs.8,000/- per month.

As seen from the record, there is no dispute with regard to the relationship of the petitioner with respondent No.1. The only ground raised by the learned counsel for the petitioner is that the quantum of interim maintenance awarded by the trial court is on higher side and hence seeking reduction of the same. Admittedly, respondent No.1 is prosecuting II year Intermediate Course and he was unable to continue his studies due to lack of money. The petitioner is working as Production Assistant Doordarshan, Ramanthapur and getting salary of Rs.50,000/- per month. As a father, the petitioner has to maintain his son. Since the main M.C. is still pending and necessary evidence has to be adduced to prove as to whether respondent No.1 is entitled to maintenance and if so to what extent, it is not proper for this Court to interfere with the orders passed by the trial Court.

Hence, the Criminal Revision Case is dismissed, confirming the orders passed by the trial Court and the appellate Court. However, it is made clear that the trial

Court shall dispose of the M.C. as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of the order.

Miscellaneous petitions, if any, pending, shall stands closed.

C. PRAVEEN KUMAR, J

21.04.2016

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