

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.100 OF 2010

ORDER:

This Criminal Revision Case, under Sections 397 & 401 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C."), is directed against the judgment, dated 06.11.2009, in CrI.A.No.282 of 2009, on the file of the V Additional Metropolitan Sessions Judge (Mahila Court), at Hyderabad, whereunder and whereby the order, dated 05.09.2009, passed in CrI.M.P.No.2684 of 2009 in D.V.C.No.2 of 2009 by the XIV Additional Chief Metropolitan Magistrate, Hyderabad, was confirmed, but however, the amount awarded for the accommodation was reduced to Rs.5,000/- and in total respondents 1 to 3 herein were granted maintenance of Rs.15,000/-.

2. CrI.M.P.No.2684 of 2009 in D.V.C.No.2 of 2009 was filed by respondents 1 to 3 to grant Rs.2,75,000/- per month towards food, cloth, medicine, house rent, electricity charges contending that the petitioner was harassing the first respondent during her stay in the petitioners' house and they did not agree to provide maintenance, shelter and other day-to-day expenses to respondents 1 to 3 and that the petitioner has been committing domestic violence acts to create disturbance in the first respondent's life, wherein the XIV Additional Chief Metropolitan Magistrate has allowed the petition and respondents 1 to 3 were granted maintenance of Rs.20,000/-. Aggrieved by the same, the petitioner has filed CrI.A.No.282 of 2009, wherein the V Additional Metropolitan Sessions Judge has dismissed the appeal by confirming the order of the lower Court, but however, the amount awarded for the accommodation was reduced to Rs.5,000/- and in total, respondents 1 to 3 were granted maintenance of Rs.15,000/-. Aggrieved by the same, the present revision is filed.

Heard learned counsel for the petitioner, learned counsel for respondents 1 to 3 and the learned Additional Public Prosecutor for the 4th respondent.

On 28.01.2010, in CrI.R.C.M.P.No.151 of 2010, this Court

granted interim suspension of the impugned order, dated 06.11.2009, in Crl.A.No.282 of 2009 on a condition of the petitioner paying an amount of Rs.10,000/- per month to respondents 1 to 3 until further orders and half of the arrears, if any, within six (6) weeks. The respondents 1 to 3 have filed Crl.R.C.M.P.No.4117 of 2014 to vacate the interim order granted on 28.01.2010.

Learned counsel for the petitioner submits that the entire evidence in D.V.C.No.2 of 2009 is adduced before the trial Court and the same is posted for arguments.

Considering the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, the Criminal Revision Case is disposed of making absolute the interim order granted on 28.01.2010 in Crl.R.C.M.P.No.151 of 2010 and the trial Court is directed to dispose of the D.V.C.No.2 of 2009, as expeditiously as possible, within a period of one (1) month from the date of receipt of a copy of this order.

Accordingly, the Criminal Revision Case is disposed of. Miscellaneous Petitions, if any, pending in this criminal revision case stands closed.

RAJA ELANGO, J

Date: 29th July, 2016

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