

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.14 of 2015

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1. Ratnesh Kumar Singh @ Ratnesh Singh Son of Sri Adalat Singh Resident of Village-
Muradpur,P.O-Jhauwan,P.S-Avtarnagar,District-Saran

.... Petitioner/s

Versus

1. Rinki Devi Wife of Arbind Kumar Singh@Arbind Kumar,Daughter of Ram Govind
Singh and Ex-Wife of Ratneshwar kumar Singh Resident of Village-Waksauda,P.S-
Parsa,District-Saran

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 28-02-2017

By order dated 05.09.2014, learned Principal Judge,
Family Court, Saran at Chapra has dismissed the application filed by
the petitioner under Section 125(5) of the Code of Criminal
Procedure, 1973 for cancellation of earlier order dated 28.07.2011
passed in Maintenance Case No. 81 of 2005 by learned Principal
Judge, Family Court, Saran at Chapra. By the said order dated
28.07.2011, the opposite party was allowed monthly maintenance of
Rs. 2000/- per month under Section 125 of the Cr.P.C. The petitioner
had filed an application under Section 125(5) of the Cr.P.C., claiming
that the opposite party was living in adultery.

From the impugned order, I find that the court below



on appreciation of evidence concluded that the petitioner could not establish that the opposite party was living in adultery. Accordingly, the court below by the order dated 05.09.2014, has rejected the petitioner's application for cancellation of interim maintenance.

The petitioner is aggrieved by the said order dated 05.09.2014 passed by the learned Principal Judge, Family Court, Saran at Chapra.

I have perused the impugned order and the pleadings of the petitioner. I do not find any glaring illegality in the findings recorded by the court below that the petitioner could not establish before the court, allegation of adultery against the opposite party. I, therefore, do not find any merit in the application. It is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
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