

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.127 of 2015

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1. Md. Akbar son of Zubair, resident of village- Sahsi, Tola- Dihulia, P.O.-
Sahsi, P.S.- Alauli, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar
2. Rehana Khatoon wife of Md. Akbar, D/o Md. Zubair, resident of village-
South Marar, Tola Jalal Nagar, P.O. Marar, P.S.- Morkahi, District-
Khagaria
3. Shamima Khatoon, D/o Md. Akbar, the Minor Girl is under guardianship
of Rehana Khatoon, opposite party no. 2, her natural guardian

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Respondent/s : Mr. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-03-2017 There is no dispute about the fact that opposite party

No. 2 is wife of petitioner and opposite party No. 3 is minor
daughter. By the order dated 05.12.2014 passed in Maintenance
Case No. 15M of 2013, learned Principal Judge, Family Court,
Khagaria has directed for payment of a sum of Rs. 3000/- per
month for maintenance of opposite party No. 2 and Rs. 1000/- for
maintenance of opposite party No. 3. The petitioner is aggrieved
by the said order dated 05.12.2014.

There being no dispute about the relationship
between the petitioner and opposite parties as noted above, I do
not find the award of Rs. 3000/- per month for opposite party No.



2 and Rs. 1000/- for opposite party No. 3 as maintenance allowance under Section 125 of the Code of Criminal Procedure to be excessive.

Learned counsel appearing on behalf of the petitioner has, however, submitted that the petitioner intends to go for one time settlement.

It goes without saying that the petitioner shall be at liberty to go for one time settlement by resorting to provisions of law as may be permissible to him.

In this case, I do not intend to pass any such order, keeping in view the conduct of the petitioner that he has not complied with the order passed by the court below, though there was no order of stay of the said order passed by this Court.

This application is disposed of with the above observation.

(Chakradhari Sharan Singh, J)

Vats/-

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