

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42021 of 2014

Arising Out of P.S.Case No. -null Year- null Thana -null District- PATNA

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Chandan Kumar, son of Sri Prem Kumar Gupta, resident of Mohalla-Gujri Bazar,
Police Station-Khajekalan, Police Office-Jhauganj, Patna City, District-Patna.

.... Petitioner

Versus

1. The State of Bihar &
2. Priti Gupta, son of Krishna Prasad, Mohalla Gajri Bazar, Police Station-Khazekalan Post Office-Jhauganj, Patna City, District-Patna

.... Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Manish Kumar Mishra, Advocate,
	:	Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party No.2	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 13-09-2017

This application under Section 482 of the Cr.P.C. has been filed to quash the order dated 17.06.2014 passed by Additional Principal Judge, Family Court, Patna in Maintenance Case No.63(M) of 2012 whereby and whereunder the learned Judge directed the petitioner to pay an amount of Rs.5,000/- per month to the Opposite Party No.2 as interim maintenance

2. Heard both sides and perused the record.

3. The petitioner is the husband of Opposite Party No.2. He was married on 20.02.2010 and immediately after few days the relationship between them got strained. The Opposite Party No.2 filed Maintenance Case claiming an amount of Rs.24,000/- per month. It



has been alleged that her husband is Hard Ware Engineer in an International company getting salary to the tune of Rs.3,36000/- as annual package. Besides the said income, he has two houses one on main road in Gujar Bazar, Patna City and another in Mohalla-Ghashiyarigali, Patna City. The learned Judge on being satisfied with the income of the petitioner and also the need of Opposite Party No.2 directed the petitioner to pay an amount of Rs.5,000/- per month by the 10th of every succeeding month besides litigation cost of Rs.4,000/- in one lump-sum. It is not in dispute that the petitioner is Hard Ware Engineer and in the present economic scenario the maintenance awarded on 17.06.2014 to the tune of Rs.5,000/- per month cannot be said to be exaggerated. The learned counsel submits that the petitioner has not given a single farthing after the direction of this Court and his defence ordered to be struck of.

4. In view of the above facts, I do not find any merit in this application and is accordingly dismissed.

(Sanjay Kumar, J)

B.Kr./-

AFR/NAFR	NAFR
CAV DATE	
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