

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 1055 of 2016**

- Smt. Bhawana Ravi W/o Shri Ritesh Ravi, Aged About 32 Years R/o- Qu. No. B-1/08, Gali No. R 5, Kanti Nagar, Bilaspur, Tahsil & District- Bilaspur, (Chhattisgarh),.....(Applicant).

---- **Petitioner****Versus**

- Ritesh Ravi S/o Naresh Prasad, Aged About 33 Years R/o- Near Teli Samaj, Vajalpura Tegdha, District- Begusaray (Bihar),.....(Non-Applicant).

---- **Respondent**

For Petitioner: Mr. Ravish Varma, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21.02.2017**

1. Heard on I.A. No.1/2016 which is an application for condonation of delay.
2. For the reasons assigned in the said application for condonation of delay and the same found to be satisfactory, I.A. No.1 is allowed. The delay of 14 days in filing the present Revision Petition stands condoned.
3. The Petitioner through the present Revision Petition has assailed the order dated 05.05.2016 passed in Miscellaneous Criminal Case No. 569/2015. Vide the said impugned order the Family Court, Bilaspur in a proceeding under Section 125 of the Cr.P.C. has entertained an interim application and allowing the same ordered for payment of an amount of Rs. 3000/- per month as interim maintenance to the Petitioner.
4. The present Revision Petition has been filed seeking for enhancement

of the interim maintenance. At this juncture this Court considering the facts and circumstances of the case particularly the fact that the order in the instant case has been passed on 05.05.2016 i.e. almost 9 months have passed. By this time much proceeding would have drawn before the Court below. At the time of passing of the impugned order the case was at the stage of recording of the evidence. If the evidence would have been recorded the final order would be passed sooner. Therefore, at this stage it would not be proper for this Court to interfere with the interim relief granted.

5. Further the Counsel for the Applicant submits that there is an apprehension that the Non-Applicant may further delay proceeding before the Court below by unnecessarily taking adjournment by lame excuses.
6. This objection of the Applicant has to be taken into consideration seriously. It is observed that the proceeding under Section 125 of the Cr.P.C. has to be proceeded as a summary trial and the Court below shall ensure that the matter is decided at the earliest.
7. The present Revision Petition accordingly stands disposed off holding that the Court below shall try to decide the matter at the earliest without giving unnecessary prolong adjournment to the Non-Applicant.
8. With the aforesaid observation the present Revision Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE