

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Misc. Petition No.609 of 2017**

1. Vijay Prakash Gupta @ Prakash Gupta S/o Shri Indra Kumar Gupta Aged About 40 Years R/o Korchatola, Thana & Tahsil- Ambagarh Chowki, Civil & Revenue District Rajnandgaon At Present Residence Of Ward No. 20 Pendari Atal Awas Road, In-Front Of Hanuman Mandir, Thana & Tahsil- Rajnandgaon, District- Rajnandgaonm Chhattisgarh.

---- Petitioner**Versus**

1. Smt. Sugandha Gupta @ Sugonda Gupta W/o Shri Vijay Prakash Gupta @ Prakash Gupta Aged About 36 Years R/o Manpur, Thana & Tahsil Manpur, Civil & Revenue District Rajnandgaon At Present Residence Of Ward No. 20 Pendari Atal Awas Road, In Front Of Hanuman Mandir, Thana & Tahsil- Rajnandgaon, District Rajnandgaon, Chhattisgarh.
2. Dharmpal S/o Shri Vijay Prakash Gupta @ Prakash Gupta Aged About 12 Years Minor Through N. G. Mother Smt. Sugandha Gupta, R/o Manpur, Thana & Tahsil Manpur, Civil & Revenue District Rajnandgaon At Present Residence Of Ward No. 20 Pendari Atal Awas Road, In Front Of Hanuman Mandir, Thana & Tahsil- Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Sunil Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

12/05/2017

(1) In an application under Section 125 of CrPC filed by the respondent No.1/wife herein claiming maintenance for herself and her son/respondent No.2. The trial Court, by its order dated 09.05.2016 passed in Misc. Criminal Case No.17/2013 granted maintenance amount of Rs.6,000/- to the respondent No.1/wife and Rs.4,000/- to

the respondent No.2/son per month. Against that order, the revision has been filed by the petitioner/husband herein in the revisional Court, which has also been dismissed by the revisional Court, by its impugned order dated 12.01.2017 passed in Criminal Revision No.35/2016 and affirmed the order of the trial Court against which, this petition under Section 482 of CrPC has been filed by the petitioner/husband.

(2) Learned counsel appearing for the petitioner submits that the maintenance amount granted by the trial Court to the respondents to the extent of Rs.10,000/- per month is on higher side and it deserves to be reduced.

(3) I have heard learned counsel for the petitioner and perused the impugned order.

(4) The two Courts below have concurrently held that respondents are unable to maintain themselves and granted maintenance amount to the extent of Rs.6,000/- to the respondent No.1/wife and Rs.4,000/- to the respondent No.2/son per month, respectively, which is absolutely just proper and reasonable considering their need. I do not find any jurisdictional error in the impugned order.

(5) Consequently, the petition deserves to be and is accordingly dismissed.

SD/-
(Sanjay K. Agrawal)
Judge

L/-