

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 718 of 2017

Giriwar Verma, S/o. Ramji Verma, Aged About 45 Years,
Occupation Agriculture, R/o. Sukhatal, Police Station Bodla, Tahsil
Kawardha, District Kabirdham (Chhattisgarh).

---- **Petitioner**

Versus

1. Sati Bai, W/o. Giriwar Verma, Aged About 40 Years.
2. Uma Bharti @ Bharti, D/o. Giriwar Verma, Aged About 19 Years.

Both R/o. Village Sukhatal, At Present R/o. Madmada, Police
Station Pandatarai, District Kabirdham (Chhattisgarh).

---- **Respondents**

For Petitioner : Shri R.S.Baghel, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.08.2017

Heard

1. The instant revision is against the order dated 25.05.2017 wherein in exercise of power under Section 127 of Cr.P.C., the learned Court below has enhanced the amount of Rs.1000/- to Rs.1300/- for the Non-applicant No.1 and Rs.700/- to 1000/- for the Non-applicant No.2.
2. Perusal of the order would show that initially an order was passed 9 years back i.e. on 14.03.2007 under Section 125 of Cr.P.C. whereby the wife was directed to be paid Rs.1000/- and daughter was directed to be paid Rs.700/- and against the enhancement of the amount, the present revision petition is filed.
3. Learned counsel for the petitioner would submit that without any reason, the amount of compensation has been enhanced and therefore the same requires to be set aside.
4. The order would show that in the year 2007, the order was passed and subsequently, the petition has been filed under Section 127 of

Cr.P.C. and it was stated that the Non-applicant/petitioner herein is holding 10 Acres of land and was earning Rs.7,00,000/- per year and the daughter for whom Rs.700/- has been awarded do not satisfy the expenses and for wife enhancement was prayed for to mitigate the expenses.

5. The wife was examined as AW-1 wherein she stated that after passing the order i.e. after 10 years, the petitioner/ husband has become financially sound and filed the medical documents from NA-1 to NA-14. The order records that the wife was getting deserted pension but nothing was placed on record to show that she was able to earn her livelihood. Admittedly, when the amount of award was passed 10 years back, increase in price of the commodities cannot be ruled out. Consequently, increase of amount from Rs.1000/- to 1300/- to the wife and from 700/- to 1000/- to the daughter cannot be stated to be exorbitant. Therefore, I do not find any reason to interfere with the order passed by the Court below to hold it illegal or without any jurisdiction.
6. In view of the above, the petition is dismissed being devoid of merit.

Sd/-
(Goutam Bhaduri)
Judge