

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.980 of 2017

ORDER:

This petition is filed for quash of order, dated 30.11.2015 passed by the learned Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad, in CrI.M.P.No.1196 of 2015 in M.C.No.197 of 2015, on the ground that the maintenance awarded to respondents 1 and 2 is excessive and cannot be met with by the petitioner.

Heard learned counsel for the petitioner. Learned Public Prosecutor takes notice for the third respondent. Both of them agree for the matter to be disposed of at the admission stage.

Learned counsel for respondents 1 and 2 does not appear.

A perusal of the order of the Court below shows that there was an admission on the part of the petitioner that he was earning a salary of Rs.13,500/- per month and that he is supporting his aged parents and his brothers who are prosecuting their studies. The Court below considered the contentions of the parties and awarded Rs.6,000/- to the first respondent and Rs.3,000/- to the second respondent. The contention of respondents 1 and 2 that

the petitioner was earning Rs.1,00,000/- per month was not accepted by the Court below since there was no evidence brought forth in that regard. Hence, maintenance that has been granted to respondents 1 and 2 has to be decided in the light of the fact that the petitioner is earning Rs.13,500/- and that he has to support his aged parents and brothers, who are prosecuting their studies.

In the light of the above circumstances, the amount of Rs.9,000/- granted as maintenance out of Rs.13,500/- seems to be a bit excessive. Hence, maintenance awarded to the first respondent is reduced by Rs.3,000/- and Rs.3,000/- shall be the maintenance to respondents 1 and 2 each.

Hence, the Criminal Petition is allowed.

Pending miscellaneous petitions, if any, shall stand closed.

26th OCTOBER, 2017.

SMT. T. RAJANI, J

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