

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Criminal Petition No.12359 of 2017

ORDER:

The present Criminal Petition is filed challenging the order dated 4.8.2017 in Criminal M.P. No.661 of 2017 in M.C. No.274 of 2012 passed by the Additional Metropolitan Sessions Judge for the Trial of JHCBBC-cum-Additional Family Judge-cum-XXII Additional Chief Judge, Hyderabad, under Section 482 of the Code of the Code of Criminal Procedure, 1973 (for short, 'the Code').

2. Heard Sri V.V. Ramana, learned counsel for the petitioner. His main submission has been that in almost alike petition filed in Criminal M.P. No.632 of 2017 in M.C. No.274 of 2012 by the husband, who is the revision petitioner herein, requiring to direct the Branch Manager, Axis Bank, Dilsukhnagar Branch, Hyderabad, to provide the account statement of the respondent-wife with certain details, the very same Court dismissed it. As a counterblast, the present application, which is under challenge, is filed, but the same was allowed by the Court below.

3. The main case is for award of maintenance filed by the 2nd respondent herein. What is required to be proved by the wife is to substantiate the amount she claimed towards monthly maintenance, by placing the relevant information as to source of income of her husband, who is the revision petitioner hereinbefore the Court. In that direction, request to call for PAN card with details of Tax Returns for the years 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 and 2016-17;

employment details from 2012 onwards like designation, employee name and the salary particulars; and whether he has any shares or debentures and also the present correspondence address, when sought for it was allowed by the Court below. Certainly, such a request if rejected, it would be difficult for the trial Court to arrive at a just conclusion in assessing what would be just and reasonable amount that can be awarded to the wife, keeping in view the relevant parameters.

4. Therefore, there is no infirmity in the order passed by the Court below and, hence, the Criminal Petition is dismissed.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition shall stand closed.

Dt. 13.12.2017
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A. SHANKAR NARAYANA

