

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1638 OF 2018

ORDER:

This petition is filed by the petitioner under Section 482 Cr.P.C. to quash the order, dated 14.12.2017 in CrI.M.P No.760 of 2016 in M.C.No.6 of 2016 on the file of the Judl. Magistrate of I Class, Yellareddy, Nizamabad District.

2. Heard learned counsel for the petitioner and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is a private employee. His monthly income is Rs.6,000/-. The Court below granted total maintenance of Rs.6,000/- per month in favour of the respondents 1 and 2 herein, who are wife and son of the petitioner, which is exorbitant and ultimately, set aside the same.

4. While dealing with the subject matter, the Court below found that the respondents 1 and 2 have no sufficient means to maintain themselves and they were neglected by the petitioner, who is the husband of 1st respondent and father of 2nd respondent. As per the records, the petitioner is doing milk vending business and earning meager amount. The petitioner has to look after old age parents. The petitioner cannot dis-own his responsibility towards respondents 1 and 2. He has to maintain the respondents 1 and 2. In view of escalation of price and education needs of the 2nd respondent, the interim maintenance of Rs.3,000/- per month to each of the respondents 1 and 2 is not excessive and as such, it

cannot be denied. Therefore, the petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 14-02-2018

Hsd

