

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE No.803 OF 2018

ORDER:

This revision is filed aggrieved by the order dated 10.01.2018 in CrI.M.P.No.243 of 2017 in M.C.No.154 of 2016 on the file of the Judge, Family Court-cum-XII Additional District Judge, Guntur.

Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor for 1st respondent-State and perused the record.

Learned counsel for the petitioner would submit that the Court below without assigning any reason awarded maintenance of Rs.20,000/- to each of the respondents (2 and 3), who are his wife and son. The finding given by the Court below is by way of interim maintenance and it is premature to award such a huge amount to the petitioner and ultimately, prayed to set aside the same.

As per the records, the petitioner is working in Gulf country as Manager in Production Logistics and Services, Daman National Health Insurance Company, Abu Dhabi, UAE. There is also a record to show that there is a criminal case in Crime No.101 of 2015 on the file of Women Police Station for the offences punishable under Section 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act, is pending. Further, a DVC is also pending.

As per the records and the submissions made by the learned counsel for the petitioner, no amount of maintenance is paid to the respondents 2 and 3 even though the maintenance application is filed in the year 2016. The Court below while dealing with all the contentions raised on behalf of the petitioner by assigning reasons, had fixed a monthly maintenance of Rs.20,000/- to each of the

respondents (2 and 3). It is also not in dispute that the petitioner is not working in Gulf countries. It is not appropriate to believe that the petitioner drawing a monthly salary of Rs.40,000/-. Now-a-days, cost of living is very high. Respondent No.3 requires expenses towards his education, etc. No infirmity is found in the impugned order. Hence, the same is dismissed.

In the result, the Criminal Revision Case is dismissed.

The Miscellaneous Petitions, if any, pending shall stand closed.

03rd April, 2018.
ssp

Dr. SHAMEEM AKTHER, J

