

HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.2136 of 2014

ORDER:

When the matter is called, there is no representation. As a matter of fact, on 21.08.2018, when the matter was called, there is no representation. On that day, this Court observed that even on 30.10.2014 and 15.12.2014, there was no representation on behalf of the petitioner. Therefore, the matter is posted to today under the caption "for dismissal". Even then, there is no response from the petitioner.

The present revision case is filed against the judgment dated 09.09.2014 passed in CrI.A.No.93 of 2013 on the file of the Judge, Family Court-cum-Additional District Sessions Judge, Karimnagar, confirming the orders dated 21.06.2013 passed in D.V.C.No.16 of 2012 on the file of the Judicial Magistrate of First Class, Vemulawada.

The facts in brief are that the 1st respondent is the legally wedded wife of the petitioner. Her marriage was performed in the year 2000 at Vemulawada as per her community customs. At the time of marriage, her parents presented Rs.3 lakhs cash, 5 tulas gold, 40 tulas silver and other articles. However, after marriage, the petitioner harassed her and used to beat her under intoxication by demanding to bring additional dowry of Rs.2 lakhs. Out of wedlock, they were blessed with three children i.e., respondent Nos.2 to 4. When the respondents were

neglected, they were constrained to file D.V.C.No.16 of 2012 on the file of the Judicial Magistrate of First Class, Vemulawada. After hearing, the said D.V.C., was allowed in part by orders dated 21.06.2013 directing the petitioner to pay a sum of Rs.3,000/- per month to the 1st respondent and Rs.1,000/- per month each to respondent Nos.2 to 4 towards maintenance and to pay compensation of Rs.1 lakh to the 1st respondent within two months apart from giving protection orders. Aggrieved by the said orders, the petitioner filed an appeal in CrI.A.No.93 of 2013 on the file of the Judge, Family Court-cum-Additional District Sessions Judge, Karimnagar. After hearing, the said appeal was dismissed by judgment dated 09.09.2014. Aggrieved by the said judgment, the present revision case is filed.

From a perusal of the material on record, it is revealed that the petitioner is working as a lorry driver. After marriage, the petitioner and the 1st respondent lived happily for two years at Ellandu, Khammam District. Thereafter, the petitioner started harassing the 1st respondent. Subsequently, they have shifted to Hyderabad in the year 2005. After shifting, the petitioner started harassing the 1st respondent suspecting her character. After coming to Hyderabad, he joined in APSRTC. Since respondent Nos.1 to 4 have been neglected by the petitioner, they were forced to file D.V.C. as stated above. When the petitioner is working in APSRTC and he being the husband and father of the 1st

respondent and respondent Nos.2 to 4 respectively, he is under legal as well as moral obligation to maintain them. Both the Courts below, after appreciating the evidence brought on record, held that respondent Nos.1 to 4 are entitled for maintenance. Looking at the present cost of living and the rate of inflation, the amount so awarded towards maintenance for sustenance of respondent Nos.1 to 4 is not excessive at present standards. Therefore, this Court is not inclined to interfere with the orders passed by both the Courts below. There are no merits in the revision case and the same is liable to be dismissed.

Accordingly, the criminal revision case is dismissed.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 24.08.2018.
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