

THE HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.1390 OF 2018

ORDER:

Heard learned counsel for the petitioner. Though notice is served on respondent No.2 on 14.06.2018, she has not chosen to appear either in person or by engaging any counsel.

2. The present revision case is filed questioning the orders passed in CrI.M.P.No.1095 of 2016 in M.C.No.214 of 2014, dated 20.03.2018, on the file of the Court of the Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case – cum – Additional Family Court – cum – XXIII Additional Chief Judge – cum – IX Additional Metropolitan Sessions Judge, Hyderabad, to the extent of directing the petitioner to deposit 1/4th of the arrears of maintenance awarded to the child from the date of petition i.e., 07.08.2014 till the date of order, on or before 23.04.2018.

3. Having heard the learned counsel for the petitioner and from a perusal of the material on record, it is seen that the learned Additional Family Court Judge allowed the petition subject to deposit of 1/4th of the arrears of maintenance awarded to the child from the date of petition.

4. During the course of hearing, it is brought to the notice of this Court that as of now, no maintenance amount has been paid to the child, but at the same time, as per the Memorandum of Understanding (MOU) entered into between the petitioner

herein and respondent No.2, a sum of Rs.5,00,000/- was paid to respondent No.2 towards full and final settlement. Under these circumstances, this Court is not inclined to interfere with the order passed by the Court below. As such, there are no merits and the Criminal Revision Case is dismissed.

5. In fact, though originally the maintenance has been awarded against petitioner Nos.1 and 2 in M.C.No.214 of 2014, in Crl.M.P.No.1095 of 2016 only petitioner No.1 in M.C.No.214 of 2014 is shown as the respondent. The Court below passed an order on 20.03.2018 allowing Crl.M.P.No.1095 of 2016 subject to the petitioner herein depositing 1/4th of the maintenance amount awarded to the child i.e., petitioner No.2 in M.C.No.214 of 2014 from the date of petition.

6. In the light of these two anomalies, this Court is not expressing any opinion on merits. However, 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 – cum – IX Additional Metropolitan Sessions Judge, Hyderabad, is directed to dispose of M.C.No.214 of 2014 itself within a period of four months from the date of receipt of a copy of the order.

7. At this stage, learned counsel for the petitioner brought to the notice of this Court that pursuant to the MOU entered into between the parties, a sum of Rs.5,00,000/- has been paid in

the name of the child i.e., petitioner No.2 in M.C.No.214 of 2014. In that view of the matter, the Court below is directed to take the same into consideration and pass appropriate orders on filing an appropriate application.

Miscellaneous Petitions, if any, pending in this Criminal Revision Case shall stand closed.

JUSTICE P. KESHAVA RAO

July 25, 2018
MD

