

HON' BLE SRI JUSTICE G. SHYAM PRASAD

CrI.R.C.No. 3094 of 2018

JUDGMENT:-

This Criminal Revision Case arises out of the Order dated 13.08.2018 in CrI.M.P.No. 148 of 2018 in M.C.No. 78 of 2018 passed by Judge, Family Court, at L.B.Nagar, Ranga Reddy District.

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the 1st respondent – State and perused the material placed on record.

The 2nd respondent-wife has filed CrI.M.P.No. 148 of 2018 in M.C.No. 78 of 2018 against the petitioner – husband claiming interim maintenance, and the learned Judge, L.B.Nagar, by the order dated 13.08.2018, allowed the petition granting interim maintenance to her @ Rs.15,000/- p.m. payable by the petitioner. Being aggrieved by the same, the petitioner has filed the Criminal Revision Case.

The impugned order is interlocutory in nature. Section 497(2) Cr.P.C. does not make a provision for entertaining Revision Case against interlocutory order. Since the order passed by the trial Court is interlocutory in nature during pendency of the Maintenance Case, this Revision Case is not maintainable and is liable to be dismissed.

Accordingly, the Criminal Revision Case is dismissed. However, the petitioner is at liberty to avail appropriate remedy as may be available to him under law.

The Registry is directed to return the original documents of the Revision Case to the petitioner.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

G. SHYAM PRASAD, J

14.11.2018

bcj

