

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 368 of 2019**

Bhagwan Das Bhardwaj Son of Jethu Bhardwaj, aged about 38 years
R/o Village Tendua, Tahsil Kota, District Bilaspur C.G.

---- Petitioner**Versus**

1. Komal Bhardwaj W/o Bhagwan Das Bhardwaj, aged about 35 years
2. Shivam Bhardwaj S/o Bhagwan Das, aged about 14 years
3. Anchal Bhardwaj S/o Bhagwan Das Bhardwaj, aged about 12 years
4. Somya Bhardwaj S/o Bhagwan Das Bhardwaj, aged about 10 years

No. 2 to 4 are Minor through legal guardian mother Komal Bhardwaj W/o
Bhagwan Das Bhardwaj

All are R/o Village Gond Khamhi, P.S. Lormi, District Mungeli C.G.

---- Respondents

For Petitioner : Mr. N.K. Chatterjee, Advocate.

For Respondents : Mr. Sunil Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/05/2019**

1. In Section 125 of the CrPC proceeding, an application was filed by the respondents herein, the learned Judicial Magistrate First Class granted an amount of ₹ 4,000/- to wife and three children of the petitioner payable by the petitioner herein, which was enhanced from ₹ 4,000/- to ₹ 6,000/- and a sum of ₹ 1,500/- per month was granted to wife as an interim maintenance by the revisional Court by order dated 04-12-2018, against which, this petition has been preferred.

2. Learned counsel for the petitioner would submit that amount granted in favour of the respondents herein by the two Courts below particularly by the revisional Court is shockingly on higher side and deserves to be interfered with by this Court in exercise of power under Section 482 of the CrPC.
3. Learned counsel for respondent No. 1 to 4 would support the impugned order.
4. I have heard learned counsel for the parties, considered their submission and went through the record with utmost circumspection.
5. Total amount of ₹ 7,500/- has been granted to the respondents as interim compensation has been challenged to be shockingly high whereas, three children i.e. respondent No. 2 to 4 are minors and are school going children. Looking to their need for education, health, price index and day to day expenses as well as need of the wife, an amount of ₹ 7,500/- cannot be said to be shockingly high. I do not find any merit in the said order.
6. With the aforesaid observation, this petition finally stands dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge