

HIGH COURT OF CHHATTISGARH, BILASPURCriminal Misc. Petition No.1130 of 2014

Basant Kumar Singh, S/o Shri Virendra Pratap Singh, aged about 37 years, Occupation Service, (P.G.T. Central School) Organization Chudachandpur, (Manipur), R/o Qr.No.4-D, Street No.19, Khursipara, Bhilai (C.G.), Present Address: Central School Organization Chudachandpur (Manipur)

---- Petitioner

Versus

1. Smt Kavita Singh, W/o Sri Basant Kumar Singh, aged about 35 years,
2. Shreyansh Kumar Singh @ Pranjal, S/o Shri Basant Kumar Singh, aged about 6 years, Minor through legal guardian Mother non-applicant No.1 Smt Kavita Singh

Both are R/o Qr.No.4-D, Street No.19, Khursipara, Bhilai (C.G.)

Present residing: D.M.Q. 28, Hospital Colony, Vishrampur, Police Station Vishrampur, Tahsil & District Surajpur (C.G.)

---- Respondents

For Petitioner: Mr. Sushil Dubey, Advocate.

For Respondents: Mr. Navin Shukla, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

09/04/2019

1. On the application filed by the respondents – wife and son of the petitioner herein, the trial Court granted maintenance of ₹ 5,000/- which was enhanced by the revisional Court to ₹ 15,000/- by granting the revision preferred by wife & son while dismissing the revision of the petitioner herein against which this petition under Section 482 of the CrPC has been preferred.
2. Learned counsel for the petitioner would submit that the amount of maintenance is shockingly high and it deserves to be reduced.
3. On the other hand, learned counsel for the respondents would oppose and would bring to the notice of the Court that at present, the

petitioner's net salary is ₹ 60,000/- per month, therefore, the maintenance granted is just and proper.

4. I have heard learned counsel for the parties.
5. Taking into consideration the finding recorded by the revisional Court and considering the need of respondent No.1, who is wife of the petitioner, for daily need, price index, etc., and also considering the expenses to be incurred for education of respondent No.2 who is son of the petitioner and considering the job and income of the present petitioner, the amount of ₹ 15,000/- in total granted by the revisional Court cannot be said to be shockingly high warranting interference by this Court under Section 482 of the CrPC. Accordingly, the petition deserves to be and is hereby dismissed.

Sd/-
(Sanjay K. Agrawal)
Judge