

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.2069 of 2018**

- Mohd. Ameen, son of Habib Abdulla aged about 49 years, Resident of Village Subhash Chowk, Keshkal, Tahsil Keshkal, District Kondagaon (Chhattisgarh)

---- Petitioner**Versus**

- Sanjeeda Bano (wrongly mentioned in the impugned order as Sangida Bano), wife of Mohd. Ameen, aged about 40 years, Resident of Village Sambalpur, Tahsil Bhanupratappur, District Kanker (Chhattisgarh)

---- Respondent

For Petitioner : Shri V.K. Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****08/1/2019**

1. Heard.
2. The present petition is against the order dated 10.08.2018 passed by the Additional Sessions Judge, Bhanupratappur, District Uttar Bastar Kanker (Chhattisgarh) in criminal Revision No.04/2018, whereby the revisional Court has dismissed the revision and granted maintenance to the respondent/wife, which is under challenge.
3. The order would reveal that the relation in between the petitioner and the respondent are not disputed that they are husband and wife. They resided together for 4 – 5 years, subsequently, the petitioner gave divorce to the

respondent and has performed marriage again and thereafter has refused to maintain the respondent. It was contended that the petitioner has two Bolero Vehicle bearing registration numbers C.G. 05 F -7682 and C.G. 04 T-6333 and it was further contended by the wife that the petitioner earns Rs.80000/- per month and amount of Rs.20000/- per month was asked for. As against this the petitioner contended that he is an auto driver he only earns 100/- rupees per day and when the divorce took place an amount of Rs.35000/- as a consolidated payment was made to the respondent.

4. Perusal of the record would show that after discussing the evidence, both the Courts below found that the petitioner is the owner of two Bolero Vehicle and also maintaining certain repairing shop. There is no valid divorce has been found in between the parties. The amount of Rs. 3000/- as against the income has been alleged by the wife cannot be said to be exorbitant or inflated taking into the hike in price of various commodities which is prevailing in the society. After going through the order, I do not find any illegality or perversity in the order so as to interfere with the same in exercise of powers under Section 482 of the Cr.P.C. to disturb such finding of fact.
5. The petition has no merit it is accordingly dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu