

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1754 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner seeking to quash the order, dated 14.11.2018, passed in Criminal Revision Petition No.43 of 2018 on the file of IV Additional Sessions Judge (Fast Track Court) at Sathupalli.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. It is apparent from the record that the parties to the dispute are husband, wife and children. The learned Judicial Magistrate of First Class, Sathupalli, by order, dated 06.04.2018, in M.C.No.22 of 2016 granted maintenance at Rs.5,000/- per month to each of respondent Nos.2 to 4 herein (wife and children of the petitioner). The Court below, by the impugned order, dated 14.11.2018, confirmed the same. As per the record, the petitioner is a Teacher and is in a position to maintain respondent Nos.2 to 4. Though it is stated that respondent No.2 is drawing a monthly income of Rs.13,000/-, the said statement is without any documentary evidence. The same has been considered and discarded by both the Courts below, assigning reasons. In view of the present cost of living and escalation of prices of essential commodities, the grant of

maintenance at Rs.15,000/- per month, in toto, in favour of respondent Nos.2 to 4 is not excessive. The findings recorded by the Court below are not erroneous. There are no grounds to interfere with the impugned order, dated 14.11.2018.

4. Accordingly, the Criminal Petition is dismissed.

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

March 29, 2019.
MD

Dr. SHAMEEM AKTHER, J

