

THE HONOURABLE JUSTICE G. SRI DEVI

Crl.Rc.No.2053 of 2018

ORDER:

Assailing the order dated 11.6.2018 passed in Crl.A.No.28 of 2018 on the file of Principal Sessions Judge, Karimnagar, the present Criminal Revision Case is filed under Section 397 and 401 Cr.P.C.

2. The facts in brief are that; the first respondent is the wife and respondents 2 and 3 are the minor sons of the petitioner. Respondent Nos.1 to 3 herein filed D.V.C.No.18 of 2015 before Judicial Magistrate of First Class (Spl. Mobile) at Karimnagar. By an order, dated 7.12.2017 in D.V.C.No.18 of 2015, the learned Magistrate granted maintenance of Rs.18,000/- per month to respondents 1 to 3 herein; Rs.25,000/- each to respondents 2 and 3 towards school fee and also Rs.3,00,000/- towards compensation to respondents 1 to 3. Challenging the same, the petitioner herein filed Crl.A.No.28 of 2018 before the Principal Sessions Judge, Karimnagar. By an order dated 11.6.2018, the learned Sessions Judge, allowed the appeal in part, by setting aside the order of the trial Court in granting Rs.25,000/- per annum to respondents 2 and 3 towards school fee. The learned Sessions Judge has also reduced the compensation amount from Rs.3,00,000/- to Rs.2,00,000/- payable to Respondent No.1 only. Challenging the said order, the petitioner-husband filed the present revision.

3. As seen from the record, there is no dispute with regard to the relationship of the petitioner with respondents 1 to 3. Learned counsel for the petitioner only submits that the quantum of maintenance and compensation granted by both the Courts below is on higher side and hence seeks reduction of the same. He submits

that the petitioner is getting only Rs.22,000/- per month and he has to look after his old aged mother. The same is opposed by the counsel for respondents 1 to 3. Learned counsel submits that apart from the salary, the petitioner is also getting pension of Rs.19,000/- per month.

4. Having regard to the facts and circumstances of the case, the Criminal Revision Case is disposed of, granting Rs.5,000/- to Respondent No.1 and Rs.4,000/- each to Respondents 2 and 3 towards monthly maintenance. The petitioner is also directed to pay Rs.2,00,000/- to Respondent No.1 towards compensation as directed by the appellate Court. The petitioner shall pay the arrears of maintenance calculating at Rs.5,000/- per month to Respondent No.1 and Rs.8,000/- per month to Respondents 2 and 3 from the date of petition i.e. 23.4.2015 after deducting the amount already paid, within a period of two months from today and shall continue to pay the said maintenance on or before 10th of every succeeding month. Miscellaneous petitions, if any, pending, shall stand closed.

Date: 7.11.2019
DA

JUSTICE G. SRI DEVI

THE HONOURABLE JUSTICE G. SRI DEVI



Crl.Rc.No.2053 of 2018

7.11.2019