

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CRIMINAL REVISION CASE No.608 of 2007

ORDER:

This Criminal Revision Case under Sections 397 and 401 of Cr.P.C., is filed aggrieved by the order dt.20.03.2007 in M.C.No.199 of 2005 passed by the Additional Metropolitan Sessions Judge for the Trial of JHCBBC-cum-Additional Family Court, Hyderabad, in partly allowing the petition awarding an amount of Rs.3,000/- to the petitioner therein as against the claim of Rs.5,000/- towards monthly maintenance from the date of the petition i.e., 23.08.2005 payable on or before 10th of every month.

The petitioner herein is respondent and the respondent herein is petitioner in M.C.No.199 of 2005. For the sake of convenience, the parties herein are referred to as they were arrayed in M.C.No.199 of 2005 before the trial Court.

The averments in the petition, in brief, are as follows:

The petitioner's marriage was performed with the respondent on 17.12.2003 as per Muslim Personal Law with a deferred dower of Rs.11,159/- with two dinar-e-sharai. Thereafter, since the petitioner was being ill-treated by the respondent, basing on the complaint lodged by the petitioner, a case in Crime No.29 of 2005 of W.P.S., South Zone,

Hyderabad, for the offences punishable under Sections 420, 506, 324 and 498-A of IPC and Sections 4 and 6 of Dowry Prohibition Act r/w. Section 120-B of IPC was registered against the respondent and the same is pending before the learned XIII Additional Chief Metropolitan Magistrate Court, Hyderabad. While contending that the respondent is doing the business in sale and purchase of cars and earning a sum of Rs.10,000/- per month, apart from getting a sum of Rs.5,000/- by way of rent, the petitioner filed M.C.No.199 of 2005 before the trial Court claiming a sum of Rs.5,000/- per month towards maintenance from the respondent.

The trial Court, on examination of the witnesses and by taking into consideration the evidence adduced by the petitioner, partly allowed M.C.No.199 of 2005 awarding a sum of Rs.3,000/- per month towards maintenance to the petitioner vide impugned order dt.20.03.2007. Aggrieved by the said order dt.20.03.2007 in M.C.No.199 of 2005, the respondent has filed the present Criminal Revision Case.

Heard learned counsel for the petitioner - husband and the learned Additional Public Prosecutor appearing for respondent No.2 – State. None appears for respondent No.1 – wife.

By a reasoned impugned order, the trial Court had rightly directed the respondent – husband to pay

maintenance @ Rs.3,000/- per month to the petitioner – wife from the date of petition i.e., 23.08.2005. In this revision, the petitioner herein did not place any grounds justifying the prayer sought by him nor any other circumstances warranting reduction of the maintenance amount granted by the trial Court. This Court, therefore, does not find any illegality or irregularity in the impugned order requiring interference by this Court under revisionary jurisdiction.

Accordingly, this Criminal Revision Case is dismissed. Interim stay granted by this Court on 27.04.2007 shall stand vacated.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE CHALLA KODANDA RAM

21.01.2020.
Msr

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