

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.952 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

Arjun Yadav son of Manohar Yadav, Resident of Village- Garha Rampur, P.S.-
Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Punam Devi, wife of Arjun Yadav, D/o Mahendra Yadav, Resident of
Village- Triveniganj, P.S.- Triveniganj, District- Supaul.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 29-04-2023

Learned counsel for the petitioner and learned
counsel for the State are present.

The present criminal revision application has been
filed against the order dated 03.09.2012 passed by Principal
Judge, Family Court, Saharsa in Misc. (Maintenance) Case No.
11 of 2005, filed under Section 125 of Cr.P.C. by which the
court has directed the petitioner to pay Rs.1300/- per month as
well as Rs.20,000/- within the period of one year from the date
of joint compromise petition filed in connection with
Miscellaneous Case No. 11 of 2005.

Counsel for the petitioner submits that Misc.
(Maintenance) Case No. 11 of 2005 has been filed by opposite

party No.2 and after marriage, she had not performed her conjugal life with the petitioner and started torturing and subsequently left *sasural*. The present situation is that O.P. No.2 is living at her *maike* having sufficient source of income. It has also been mentioned that in this matter conciliation took place at the instance of Principal Judge, Family Court on 03.09.2012. From the said conciliation, the parties become agreed on settlement that petitioner shall pay Rs.20,000/- one time and shall also pay Rs.1300/- per month as maintenance.

After going through the pleading and order sheet, it transpires to this Court that even after entering into the said compromise, the petitioner has not acted upon, whereas the settlement amount is very petty amount i.e. Rs.20,000/- one time and Rs.1300/- per month as maintenance. The said order has been flouting by the petitioner with effect from 03.09.2012, this Court found that neither any question of legality, propriety and correctness are involved in this case and therefore, this criminal revision is hereby dismissed.

The Principal Judge, Family Court, Saharsa is directed to calculate the total arrears within one week from the date of receiving of the order and then take all processes for recovery of the said amount from the petitioner including

issuance of process under Form 18/19 of Schedule-II of Cr.P.C.
1973 or as per the direction made by this Hon’ble Court in the
case of **Sarfaraj Alam @ Md. Sarfaraj Vs. State of Bihar &
Ors.** reported in **2023 (1) PLJR 756.**

(Dr. Anshuman, J.)

ravishankar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	