

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.771 of 2021**

Arising Out of PS. Case No.- Year-0 Thana- District- Bhojpur

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Ankit Mishra Son of Late Manohar Lal Mishra, Residence of Mohallah-
P.N.T. Colony, Type - A, Kidwaipuri, P.S.- Budha Colony, District- Patna.

... .. Petitioner/s

Versus

Richa Chaitali Mishra Wife of Ankit Mishra, Daughter of Harish Tiwary,
Residence of Mohalla- Hanuman Tola, Dharahara, P.S.- Ara Town, District-
Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Adv.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT**

Date : 07-04-2023

Heard learned counsel for the petitioner.

The present Cr. Revision Application has been filed by the petitioner for setting-aside the order dated 09.05.2019 passed by Principal Judge, Family Court, Ara in Maintenance Case No. 273 of 2015, by which, petitioner was directed to pay maintenance amount of Rs.14,000/- per month under Section 125 of Cr.P.C. for opposite party and his newly born son.

Learned counsel for the petitioner fairly admits that the matrimonial life of petitioner was extremely good and due to this reason the petitioner and opposite party have one son from the said marriage. He further submits that petitioner is working as Assistant in Railway Mail Service and in the light of court's

order he is paying Rs.14,000/- per month directly from his salary account to the account of opposite party. Counsel for the petitioner further submits that it is also true that opposite party has not filed any criminal case of torture against the petitioner and petitioner has also not filed any divorce case against opposite party. He submits that if opportunity and situation shall be available to them, there is every likelihood that marriage of both the parties shall be restored. He further submits that wife of petitioner (opposite party) is intelligent and well educated and having capacity to earn also and as per his knowledge, she has her own earning also.

Upon going through the records, it transpires that the earning of petitioner was well considered by the Principal Judge, Family Court, Ara and then only the said amount has been fixed, therefore, I am not inclined to interfere in the said judgment as only on the point of lowering the maintenance amount the present Cr. Revision Application has been filed, there is no question of legality, propriety or correctness in the present case.

So far as the restoration of good relation between the parties which is the main purpose of Family Court Act, 1984, the parties have different opportunities to meet and restore

their relation. Both the parties are admittedly husband and wife and sometime even on pity issues dispute may arise in the conjugal life of anyone and best person is the party themselves to resolve those disputes.

This Court expects that good time shall come for the parties and their matter may be restored by their efforts.

With this observation, the present Cr. Revision Application stands disposed off.

(Dr. Anshuman, J.)

Ritik/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	