

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1024 of 2017

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

Bina Devi wife of Amrendra Kumar Mehta @ Munna Resident of Baris Tola
Chandanpura, P.O. - Jamalpur, P.S. - Naya Ram Nagar, District – Munger.

... .. Petitioner/s

Versus

Amrendra Kumar Mehta @ Munna son of Late Ram Chandra Mehta Resident
of Village P.O. - Nauagarhi, P.S. - Naya Ram Nagar, District – Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party : Mr. Suman Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 17-03-2023

Heard learned counsel for the petitioner and
learned counsel for the opposite party.

The present Cr. Revision Application has been filed
against the part of order dated 28.02.2017 passed in
Maintenance Case No. 369(M)/2013(CIS)/ Case No. 21(M) of
2011 passed by learned Principal Judge, Family Court, Munger,
by which, a sum of Rs.1200/- was directed to pay to three
children of petitioner independently but the petitioner was not
granted any maintenance amount in this case.

Learned counsel for the petitioner submits that this
matrimonial case was filed by the petitioner and her children

under Section 125 of Cr.P.C., in which, court was pleased to direct to fix the maintenance amount of Rs.1200/- per month each to the children of petitioner but not fixed any amount for the petitioner who is wife of opposite party and due to this reason she has filed the present Cr. Revision.

Learned counsel for the opposite party submits that opposite party had opposed the maintenance on two grounds. The first ground was that petitioner is living in adultery and the second ground he has taken is that opposite party belongs to poor family and petitioner had sold the landed property of family of opposite party and received Rs.4,69,000/- prior to 2011 which is exhibit A, A/1 & A/2 and she is enjoying the said money in her own purpose. In this regard, there is a detail discussion in the order sheet under challenge.

Upon hearing the parties and going through the records of the case, this Court is of the opinion that petitioner had already sold the landed property of her husband and his brother and received Rs.4,69,000/- prior to 2011 itself.

In this view of the matter, I am not inclined to interfere in the order passed by Principal Judge, Family Court, Munger and, as such, the Cr. Revision Application is hereby **dismissed.**

Opposite Party is directed to pay the entire money
to his children in the Misc. Case.

(Dr. Anshuman, J.)

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CAV DATE	
Uploading Date	
Transmission Date	