

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.87 of 2020

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

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Mohan Kumar

... .. Petitioner/S

Versus

Kiran Devi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri, Adv.

For the Respondent/s : Mr. Umesh Lal Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

4 18-07-2024 This revision petition has been preferred by the petitioner, being aggrieved with the Order dated 18.12.2019 passed by the learned Principal Judge, Family Court, Nalanda, Bihar Sharif in Maintenance Case No. 161M of 2024 whereby the learned Family Court while allowing the application filed by the O.P. No. 2 under Section 125 Cr.P.C. directed the petitioner to pay a monthly maintenance of Rs. 7,000/- to O.P. No. 2.

2. Undisputedly, the O.P. No. 2 is the legally wedded wife of the petitioner and she is residing separately from the petitioner. Bare perusal of the impugned Order clearly shows that in para 18 of his examination the petitioner himself admitted the fact that he is not ready to keep his wife i.e. O.P. No. 2 with him. Therefore, the learned Family Court on the basis of above and other evidences available on record rightly



arrived on the conclusion that the O.P. No. 2 is residing separately with sufficient and reasonable cause. The Family Court further on the basis of evidence available on record arrived on the conclusion that O.P. No. 2 is unable to maintain herself, as such, the above finding recorded by the Family Court is based upon the evidences available on record and as per the admission made by the petitioner herein.

3. With regard to the quantum of maintenance amount concerned, perusal of the impugned Order further shows that petitioner himself admitted the fact that as of now, he is employed as a class IV employee in railways department and getting a monthly salary of Rs. 18,000/-.

4. Considering the above income of the petitioner in my considered view, the amount of maintenance awarded by the learned Family Court i.e. Rs. 7,000/- also appears to to just and proper. I do not find any merit in this petition. Accordingly, the petition is dismissed at the admission stage itself.

(Arvind Singh Chandel , J)

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