IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 5th OF FEBRUARY, 2024

CRIMINAL REVISION No. 3412 of 2021

BETWEEN:-

DEEPAK S/O HARIRAM PARMAR, AGED ABOUT 26 YEARS, OCCUPATION: JOB GRAM SEMALIA NARELA P.S. THANDLA TEH. THANDLA (MADHYA PRADESH)

.....PETITIONER

(NONE FOR THE APPLICANT)

AND

SMT. SUSHILA @ SONU D/O MAYARAM, AGED ABOUT 24 YEARS, OCCUPATION: STUDENT GRAM SEMALIA NARELA TEH. THANDLA JHABUA AT RPESENT RAJGARH TEH. SARDARPUR (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI)

This revision coming on for admission this day, the court passed the following:

ORDER

This revision is pending since 2021.

The matter is considered on merit.

The present revision is filed u/S.125 of Cr.P.C aggrieved of the order passed by JMFC, Family Court, Sardapur, Distt. Dhar in MCr.C. No.59/2015 on 28.11.2017 whereby the application filed by the respondent u/Sl.125 of Cr.P.C has been allowed and maintenance of Rs.3000/- has been awarded.

2. Upon perusal of the pleadings and the impugned order, it is evident that after some time of the marriage the applicant started demanding dowry and

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subjected the applicant to physical torture. She also reported the matter to Police station and thereafter the matter was compromised between the parties which was reduced in writing on the stamp paper. Despite that, he continued to torture the applicant and for the said reason she has withdrawn herself.

3. Though the applicant refuted the aforesaid contention, however, the trial court after considering the evidence of both the parties held that the applicant was forced to live separately and, therefore, is entitled for maintenance. The respondent stated that the applicant was earning Rs.20,000/- per month as salary being an employee of M.P. Electricity Supply Company. However, no evidence was adduced regarding the income of the applicant but the fact of serving in electricity company was established. Considering the same, the court held that the income of the applicant is about Rs.12,000/- and awarded Rs.3000/- to the non-applicant.

4. I do not find any illegality ind the impugned order. No interference is called for in the revision. The revision is dismissed.

(VIJAY KUMAR SHUKLA)
JUDGE

VM

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