

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.5 of 2022

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

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Anil Kumar Gupta, Son of Satyabrat Gupta, Resident of Makalpur First lane
Mahavir Nagar, near Nathpani Mandir, P.S.- Balasore, District- Balasore
(Odisha)

... .. Petitioner/s

Versus

1. Priti Gupta, W/o Anil Kumar Gupta, Resident of Makalpur, First Lane
Mahavir Nagar near Nathpani Mandir, P.S.-Balasore, District- Balasore
(Odisha) Present address D/o Vijay Sah resident of Bangali Tola Ward
No.24, Farbisganj, P.S.-Farbisganj, District- Araria (Bihar)
2. Chinmai Gupta, D/o Anil Kumar Gupta, represented through natural
Guardian Priti Gupta Resident of Makalpur, First Lane Mahavir Nagar near
Nathpani Mandir, P.S.-Balasore, District- Balasore (Odisha) Present address
D/o Vijay Sah resident of Bangali Tola Ward No.24, Farbisganj, P.S.-
Farbisganj, District- Araria (Bihar)

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar, Advocate Mr. Baban Kumar, Advocate
For the State	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 22-07-2025 The present criminal revision petition has been preferred by the petitioner against the impugned order dated 25.02.2019 passed by learned Principal Judge Family Court, Araria, in Maintenance Case No. 46 of 2018, filed under Section 125 Cr. PC whereby the maintenance has been granted to O.P. Nos. 1 and 2 finding O.P. No. 1 is wife and O.P. No. 2 is daughter of the petitioner.

2. However, learned counsel for the petitioner informs that the marriage between the petitioner herein and O.P. No. 1,



Priti Gupta, has been already declared null and void under Section 12 of Hindu Marriage Act. However, he submits that the petitioner could not bring this fact to the notice of learned Family Court.

3. Hence, learned counsel for the petitioner is seeking permission to withdraw the present petition with liberty to move an application under Section 127 Cr.PC before Family Court for modification/alteration of the impugned order in view of the changed circumstances.

4. Permission is accorded.

5. Accordingly, the present petition is dismissed as withdrawn with liberty to the petitioner to move an appropriate application before learned Family Court.

6. While dealing with the limitation petition, learned Family Court may advert to Section 14 of the Limitation Act for condonation of delay, if any.

(Jitendra Kumar, J)

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