HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Revision Petition No. 971/2024

Narvir Singh S/o Late Shri Mohan Singh, Aged About 49 Years, B/c Rajput, R/o 355, Housing Mandal, Housing Board Colony, Sirohi, Distt. Sirohi, Raj. (Presently Working As Government Teacher At Principal, Govt. Senior Secondary School, Kalandari, Sirohi)

----Petitioner

Versus

1. Vijeta Singh W/o Shri Narvir Singh, Aged About 43 Years, B/c Rajput, R/o D-32, Uid Colony, Pratap Nagar, Jodhpur, Distt. Jodhpur, Raj.
2. Divita Singh D/o Narvir Singh, Aged About 16 Years, Through Its Natural Guardian Res. No. 1 (Mother)
3. Siddhant S/o Narvir Singh, Aged About 16 Years, Through Its Natural Guardian Res. No. 1 (Mother)

----Respondents

For Petitioner(s) : Mr. Chirag Mathur
For Respondent(s) :

HON'BLE MR. JUSTICE MANOJ KUMAR GARG
Judgment

07/02/2025

The instant criminal revision petition under Section 397 Cr.P.C. has been filed by the petitioner against the orders dated 29.07.2022 passed by the learned Family Court No.3, Jodhpur in Criminal Case No.284/2019 whereby the learned Judge has directed the petitioner to pay Rs.10,000/- per month to the respondent No.1 & Rs.7,500/- per month each to the respondent Nos.2 and 3 as interim maintenance.

Counsel for the petitioner submits that the learned Family Court without appreciating the material available on record and without assigning any cogent reason has awarded interim

maintenance in favour of respondents. Counsel submits that the interim maintenance as awarded by the Family Court is on higher side as the petitioner is not having enough income. Therefore, it is prayed that this criminal revision petition filed by the petitioner may kindly be allowed and the impugned order dated 29.07.2022 may kindly be quashed and set aside.

Heard the learned counsel for the petitioner and perused the impugned order passed by the court below.

The impugned order passed by the learned Family Court is an interim order. The final order on the application is yet to be passed by the court below. The learned court below after taking into consideration all the material available before it, has rightly awarded interim maintenance of Rs.10,000/- per month respondent No.1 and Rs.7,500/- per month each to respondent Nos.2 and 3. The order impugned does not suffer from any illegality and perversity, hence, no interference is called for from this Court.

The criminal revision petition stands dismissed accordingly. However, the court below is directed to decide the main application after taking into consideration all the documents and material aspect of the matter as well as statements so recorded before it, within a period of one year from the date of receipt of certified copy of this order.

Stay petition is also decided accordingly.

(MANOJ KUMAR GARG),J

11-mSingh/-