HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 5517/2024

Deependra Asarsa S/o Dhirendra Asarsa, Aged About 38 Years, R/o Rose View Bangloo, Kala Chapra, Abuparwat, Dist. Sirohi.

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Manisha Asarsa W/o Deependra Asarsa, R/o Near Rose Cottage, Near Global Hospital, Abuparwat, Dist. Sirohi.

----Respondents

For Petitioner(s)	:	Mr. Pritam Solanki
For Respondent(s)	:	Mr. Vikram Rajpurohit, Dy.G.A. with Mr. Ravindra

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HON'BLE MR. JUSTICE FARJAND ALI

Order

06/02/2025

1. The instant criminal miscellaneous petition under Section 482 of Cr.P.C. has been preferred by the petitioner being aggrieved of the order dated 09.05.2024 passed by the learned Additional Sessions Judge No.1, Aburoad in Criminal Revision No.01/2024 allowing an application for interim maintenance under Section 125 of the CrPC.

2. In the facts and circumstances of the case, instead of interfering in the order impugned granting interim maintenance, it is deemed appropriate to direct the learned court below to decide the main petition under Section 125 of the CrPC within a period of six months from the date of receipt of a copy of this order.

3. The miscellaneous petition as well as the stay petition is disposed of with the above direction.

4. It is made clear that learned trial court would be free to ascertain a different quantum of the maintenance based on the evidence brought on record during the course of inquiry of the main petition under Section 125 Cr.P.C. The learned trial judge shall not get influenced by the interim order passed by him so also by the instant order passed by this Court. The main petition shall be decided on merits.

(FARJAND ALI),J

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