

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.18 OF 2024

Ravindra Madhav Khare

...Applicant

Versus

Anita *alias* Yogita Ravindra Khare & Anr.

...Respondents

Mr. Hitesh P. Shah, for the Applicant.

Ms. R. V. Newton, APP, for the State.

CORAM: MADHAV J. JAMDAR, J.

DATED: 23 JANUARY 2026

P.C.:

1. Heard Mr. Shah, learned Counsel appearing for the Applicant.
2. The challenge in this Criminal Revision Application is to the Order dated 12th January 2023 passed by the learned Judge, Family Court, Nashik, District-Nashik in Petition No. E-141 of 2018.
3. It is the submission of Mr. Shah, learned Counsel for the Applicant, that the Applicant is a labourer earning a salary of Rs.4,500/-, which has now increased to Rs.8,000/- and that he is not in a position to pay maintenance of Rs.5,000/- to the wife and Rs.2,000/- to the son.
4. Perusal of the record shows that by Order dated 29th October 2015 passed on an Application filed under Section 125 of the *Code of Criminal Procedure, 1973* ("CrPC"), an amount of Rs.2,000/- was

directed to be paid to the wife i.e. Respondent No.1 and an amount of Rs.1,200/- was directed to be paid to the son. Thereafter, the Respondents filed an Application seeking enhancement under Section 127 of CrPC and accordingly by Order dated 12th January 2023 enhancement of Rs.5,000/- per month to the wife and Rs.2,000/- per month to the son was granted from the date of the Application i.e. 29th June 2018.

5. It is the contention of the Respondents in their Application that the present Applicant is conducting a transport business and is earning a handsome income of Rs.1,00,000/-.

6. On the other hand, it is the contention of the Applicant that he is employed in the transport business and is getting an income of Rs.4,500/-. However, the learned Judge of the Family Court disbelieved the said case, as no documentary evidence was produced to substantiate the said contention. There is nothing on record to show that the said finding arrived at by the learned Judge of the Family Court is not in accordance with the evidence on record. Although it was initially tried to be contended by learned Counsel for the Applicant that the Applicant's salary is about Rs.8,000/-, now it is stated that the Applicant is earning about Rs.10,000/- to Rs.12,000/-.

7. In facts and circumstances of the case and in view of the conduct of the Applicant, no interference in the impugned Order is warranted.

8. Accordingly, the Criminal Revision Application is dismissed, however with no order as to costs.

[MADHAV J. JAMDAR, J.]