APHC010062112026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

THURSDAY, THE 5th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 134/2026

Between:

SHAIK FAREED VALI, S/O SHAIK. VALI,AGED ABOUT 33 YEARS,R/O HOUSE NO.4-14-2/1, FAIT NO.504,VANGALA LAKE VIEW APARTMENT,ANJANEYAPETA, CHANDRAMOULI NAGAR,KORITAPADU, GUNTUR, GUNTUR DISTRICT,ANDHRA PRADESH, INDIA,PIN CODE 522007.

...PETITIONER

AND

1. SHAIK CHARISHMA BEGUM, W/O SHAIK. FAREED VALIAGED ABOUT 29 YEARS,R/O DOOR.NO. 104-852, 10 DIVISION,KOPPOLU VILLAGE, ONGOLE MANDALAT ONGOLE, PRAKASAM DISTRICT,ANDHRA PRADESH, INDIA,PIN CODE 523001.
2. SHAIK SHANVI, D/O SHAIK. FARID VALI,AGED ABOUT 3 YEARS,R/O DOOR.NO. 104-852, 10 DIVISION,KOPPOLU VILLAGE, ONGOLE MANDAL,AT ONGOLE, PRAKASAM DISTRICT,ANDHRA PRADESH, INDIA,PIN CODE 523001.
3. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AMARAVATI.

...RESPONDENT(S):

Counsel for the Petitioner:

1. P VIVEK

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR

2.

The Court made the following:

ORDER:

The Criminal Revision Case has been filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.'), challenging the order dated 02.01.2026 passed by the learned Family-cum-VIII Additional District Judge, Prakasam at Ongole, in Crl.M.P. No. 346 of 2025 in M.C. No. 10 of 2025, whereby the learned Trial Court directed the petitioner to pay an amount of Rs.15,000/- towards monthly maintenance to respondent No.1 and Rs.10,000/- to the respondent No.2.

2. Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor.

3. This Court in **Pathan Bibi Razia v. State of A.P.,**[1] held, by relying on several authorities of the Hon'ble Apex Court and taking aid of several judgment and also Section 397 and 401 of 'the Cr.P.C.,' that against interlocutory order i.e., interlocutory order of payment of maintenance no revision lies.

4. Sri P.Vivek, learned Counsel for the Petitioner submits that the petitioner is working as IT Recruiter.

[1] Crl.R.C. No.1398 of 2025 dated 10.09.2026

5. Be that as it may, income of the Petitioner is more than Rs.1,50,000/-. Section 438 of 'the BNSS'/Section 397 of 'the Cr.P.C.,' bars exercise of revisional jurisdiction against an interlocutory order. The Hon'ble Supreme Court, while considering the scope of the said bar in **Amar Nath v. State of Haryana[2], Madhu Limaye v. State of Maharashtra[3], V.C.Shukla v. State through CBI[4], Rajendra Kumar Sitaram Pande v. Uttam[5], and K.K.Patel v. State of Gujarat[6],** has consistently held that a purely interlocutory order is not amenable to revisional jurisdiction.

6. Having regard to the facts and circumstances of the case, in view of the law laid down by the Hon'ble Apex Court in **Amar Nath, Madhu Limaye, V.C. Shukla, Rajendra Kumar Sitaram Pande and K.K. Patel** *supra* revision case is not maintainable. Hence, the Criminal Revision Case is liable to be dismissed.

7. However, learned Counsel for the Petitioner and the learned Counsel for Respondent No.2 urges this Court to dispose of the matter enabling the learned Trial Court to dispose of the F.C.O.P. itself by affording fair and reasonable opportunity to both parties.

8. In view of the above, the Criminal Revision Case is disposed of directing the learned Trial Court to dispose of F.C.O.P as early as possible

[2] (1977) 4 SCC 137
[3] (1977) 4 SCC 551
[4] 1980 Supp SCC 92
[5] (1999) 3 SCC 134
[6] (2000) 6 SCC 195

preferably within a period of one year from the date of receipt of copy of this order and submit a report to the Registrar (Judicial).

9. Any observations made in this order would not come in the way of the learned Trial Court while deciding the matter independently on its own merits, uninfluenced by any remarks made herein, at the time of final disposal of the case. There shall be no order as to costs.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 05.11.2026.
VMM

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE No.134 of 2026

Date:05.11.2026

VMM