SS,J
Crl.R.C.No. 726 of 2010
Dated 18.11.2026

APHC010588482010

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3560]
(Special Original Jurisdiction)

WEDNESDAY, THE 18th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 726 OF 2010

Between:

1. SHEIK BASHA, TEDEPALLI TALUK, GUNTUR DIST., S/O. SK. MASTHAN SEASONAL AGRICULTURAL COOLIE, MINORITY MUSLIM R/O. PENUMAKA (V) & (PO), PIN: 522 515, TADEPALLI TALUK,

...PETITIONER

AND

1. SHEIK HAJA BI TELAPROLU VPO GUNTUR DIST ANR, W/O. SK. BASHA AGRICULTURAL COOLIE, MUSLIM R/O. TALAPROLU (V) & (PO)., GUNTUR DISTRICT.
2. SHEIK MASTHAN VALI, S/O. SK. BASHA (MINOR) REP. BY HIS NATURAL MOTHER, THE RESPONDENT - 1.

...RESPONDENT(S):

Counsel for the Petitioner:

1. P N JAGANMOHAN RAO

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR

The Court made the following:

SS,J
Crl.R.C.No. 726 of 2010
Dated 18.11.2026

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 726 OF 2010

ORDER:

1. This Criminal Revision case is pending since the year 2010. Notice upon respondent was not served. Accordingly, vide order, dated 07.07.2010 petitioner was directed to take out personal notice upon respondent and file proof of service before the Registry, such direction of this Court was not complied by the petitioner. Since service upon respondent was not effected in this Criminal Revision Case, the matter can be disposed of for non-compliance of the order of this Court. However, Criminal Revision Case once admitted cannot be disposed of for default of petitioner. Accordingly, this Court heard the matter on merit to dispose of the Criminal Revision Case.

2. Heard learned Additional Public Prosecutor – Sri Panini Somayaji. Perused the impugned order passed by learned Magistrate.

3. It appears that 2nd respondent is the wife and 3rd respondent is minor child of petitioner. 2nd respondent filed a proceeding under section 125 of the Criminal Procedure Code (Cr.P.C) before learned Magistrate for getting maintenance. Learned Magistrate has allowed the petition by granting Rs.100/- (Rupees one hundred only) for 1st petitioner and Rs.200/- (Rupees two hundred only) for 2nd petitioner as maintenance in M.C.No.13 of 1993.

4. Wife - respondent filed another application before learned Magistrate under section 127 of Cr.P.C., for enhancement of maintenance amount, which was registered as Crl.M.P.No.4898 of 2006. After hearing the parties, learned Magistrate has enhanced the maintenance in favour of 1st petitioner from Rs.100/- to Rs.2,000/- (Rupees two thousand only) and in favour of 2nd petitioner from Rs.200/- to Rs.3,000/- (Rupees three thousand only) [in total enhanced to Rs.5,000/- from Rs.300/-]. The order of enhancement of maintenance under section 127 of Cr.P.C., is under challenge before this Revisional Court.

5. I have perused the order passed by learned Magistrate in Crl.M.P.No.4898 of 2006. Learned Magistrate has observed that husband was earning Rs.10,000/- (Rupees then thousand only) per month and he has no dependants to be maintained by him, thereby, the order of maintenance was enhanced. I find there is no illegality or impropriety in the impugned order passed by learned Magistrate. I find no merits to interfere with the order passed by learned Magistrate. Thereby, the instant criminal revision case is liable to be dismissed.

6. Accordingly, instant Criminal Revision Case is dismissed. No costs.

7. Petitioner is directed to go on paying the maintenance amount as per direction of learned Magistrate in Crl.M.P.No.4898 of 2006 vide order dated 03.12.2008.

8. Interim order of stay, if any, passed by this court during pendency of this Criminal Revision Case, is hereby vacated.

9. Arrears of maintenance should be paid by petitioner within six (06) months in six (06) equal monthly installments from the date of receipt of copy of this order.

10. Let a copy of this order be served on learned Magistrate for ready reference.

11. State is directed to intimate the gist of the order to all the parties.

Consequently, pending miscellaneous applications, if any, shall stand closed.

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JUSTICE SUBHENDU SAMANTA

Date: 18.11.2026
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THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 726 OF 2010

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