2026:AHC:208735

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 529 BNSS No. - 4415 of 2026

Priyanka @ Rinki

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Kuldeep Singh Chahar, Surjeet Singh Chahar

Counsel for Opposite Party(s) : G.A.

Court No. - 82

HON'BLE JAI PRAKASH TIWARI, J.

Heard learned counsel for the applicant and learned A.G.A for the State as also perused the record.

This application under Section 529 BNSS has been filed seeking direction to the court concerned to conclude the trial of Case no. 1233 of 2024 (Priyanka vs. Hariom), under Section 125 Cr.P.C., District Agra, pending before the court of learned Principal Judge, Family Court, Agra, expeditiously within stipulated period.

As per submission of learned counsel for the applicant, an application under Section 125 Cr.P.C. has been filed by the applicant against the opposite party no. 2 on 20.5.2024. Thereafter, an interim maintenance application has also moved on behalf of the applicant on 18.3.2025. It is further submitted that opposite party no. 2 is intentionally delaying the trial and creating hindrance in disposal of the trial. Further, it is submitted that applicant is not able to maintain herself and her minor daughter. The disposal of the aforesaid applications are still pending.

Here, it would be relevant note Section 125 Cr.P.C/Section 144 BNSS, which provides as under:

"*the Magistrate may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this sub-section, order such person to make a monthly allowance for the interim maintenance of his wife or such child, father or mother, and the expenses of such proceeding which the Magistrate considers*

reasonable, and to pay the same to such person as the Magistrate may from time to time direct.

Further, it is also provided that *an application for the monthly allowance for the interim maintenance and expenses of proceeding under the second proviso shall, as far as possible, be disposed of* ***within sixty days*** *from the date of the service of notice of the application to such person.*"

Considering the above facts and circumstances without expressing any opinion on the merits of the case, this application is finally **disposed of** with a direction to the court concerned to decide the application for interim maintenance, as well as maintenance application filed under Section 125 Cr.P.C., keeping in view the provisions provided under Section 125 Cr.P.C. regarding the interim maintenance and application for maintenance in accordance with law, without granting any unnecessary or long adjournments to the parties as expeditiously as possible, preferably within a period of nine months from the date of production of a certified copy of this order, if there is no other legal impediment.

(Jai Prakash Tiwari,J.)

October 6, 2026
Brijesh

Digitally signed by :-
BRIJESH KUMAR
High Court of Judicature at Allahabad