
(2011) 03 JH CK 0015
In the Jharkhand High Court
Case No : Criminal Rev. No. 713 of 2010

Dashrath Sharma @ Dashrath Mistri	APPELLANT
Vs	
The State of Jharkhand and Another	RESPONDENT

Date of Decision : 28-03-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 125

Citation : (2011) 03 JH CK 0015

Hon'ble Judges : Dilip kumar sinha, J

Bench : Single Bench

Judgement

D.K. Sinha, J.

I.A. 1869 of 2010

1. The Instant interlocutory application has been filed u/s 5 of the limitation for condonation of 201days" delay in filing the instant revision.
2. The Petitioner is the husband against whom the order was passed for maintaining his wife, opposite party No. 2 by paying Rs. 1000/- per month with arrears from the date of the final order. The learned Counsel submitted that though the Petitioner had appeared u/s 125 of the code of criminal procedure but the final order of the proceeding could not be communicated to him and hence the delay .
3. Admittedly, he has not given single farthing to the wife opposite party No. 2 after the final order was passed in the said proceeding.
4. In the facts and circumstances and taking the considered view, the delay is condoned subject to payment of cost of Rs. 2000/-to be deposited within 15 days of this order before the lower court with the liberty to withdraw the same.
5. The Petitioner is directed to communicate this Court by filing the receipt of such deposit on the next date.

6. I.A. No. 1869 of 2010 stands disposed off.

Put up this petition on 15.04.2011.