
(2023) 03 RAJ CK 0092

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous (Petition) No. 1316 Of 2023

Shriram Kumawat

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 21-03-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 125, 482

Citation : (2023) 03 RAJ CK 0092

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Shriram Kumawat, N.S. Bhati

Final Decision : Dismissed

Judgement

Manoj Kumar Garg, J

The instant criminal misc. petition under Section 482 Cr.P.C. has been filed by the petitioner against the order dated 12.01.2023 passed by the learned Judge, Family Court No.2, Udaipur in Session Case No.32/2022 whereby the learned Judge has allowed the interim application filed by the respondent no.2 under Section 125 Cr.P.C. and directed the petitioner to pay Rs.6,000/- per month to the respondent no.2 as interim maintenance.

Mr. Shriram Kumawat, petitioner present in person submits that the learned Family Judge, without appreciating the material available on record and without assigning any cogent reason has awarded interim maintenance in favour of respondent no.2. Petitioner further submits that the interim maintenance as awarded by the Family Judge, is on higher side as he is not having enough income.

Heard the petitioner and perused the impugned order passed by the court below.

The impugned order passed by the learned Family Judge, is an interim order. The final order on the application is yet to be passed by the court below. The learned

court below after taking into consideration all the material available before it, has rightly awarded interim maintenance of Rs.6,000/- per month to the respondent no.2. The order impugned do not suffer from any illegality and perversity, hence, no interference is called for from this Court.

The misc. petition stands dismissed accordingly. However, the court below is directed to decide the main application after taking into consideration all the documents and material aspect of the matter as well as statements so recorded before it, within a period of one year from the date of receipt of certified copy of this order.

Stay petition is also decided accordingly.