

**IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL**

**Criminal Revision No. 52 of 2006**

Amar Deep.

.....Revisionist.

Versus

State of Uttaranchal  
and another.

..... Respondents.

Present:

Mr. P.S. Saun, AGA for State.

**With**

**Criminal Revision No. 73 of 2006**

Km. Ankita.

.....Revisionist.

Versus

State of Uttaranchal  
and another.

..... Respondents.

Present:

Mr. P.S. Saun, AGA for State.

**Hon'ble Servesh Kumar Gupta, J.**

This judgment will dispose of both the above titled cognate revisions, engendered out of common judgment and order dated 10.03.2006 passed by Principal Judge, Family Court, Dehradun.

At the outset, it is pertinent to mention here that none has turned up on behalf of either party, even in the second revised call but this Court is inclined to dispose of all the matters filed upto 2007. In the above circumstances, this Court itself has gone through the merits of said judgment and has taken assistance of State Counsel. It appears that Ankita, daughter of Dr. Amar Deep, has filed a maintenance petition under Section 125 Cr.P.C. through her mother and natural guardian Manmohini Deep. In the said petition, learned Judge, Family Court has awarded maintenance to the tune of Rs. 3,000/- per month, against Rs. 9,000/- as demanded, since the date of filing of

petition. It was further ordered that this amount of maintenance will be paid by Dr. Amar Deep till disease of Ankita is completely cured or till she marries.

From perusal of paragraph 13 of the impugned judgment, it appears that income of Dr. Amar Deep, as per income tax return for the year 2004-05, was nearly Rs. 50,000/- per month. Looking to the income of Dr. Amar Deep eight years ago, amount of maintenance to the tune of Rs. 3,000/- was quite insufficient in the opinion of this Court, more so, when she was suffered from disease epilepsy and needed consistent treatment for her ailment.

So looking to the financial status of Dr. Amar Deep, amount of maintenance is enhanced from Rs. 3,000/- per month to Rs. 5,000/- per month since 10.03.2006. All the arrears will be paid by Dr. Amar Deep in easy installments but not less than Rs. 15,000/- per month till the entire amount of dues is paid by him. Prior to 10.03.2006, maintenance only to the tune of Rs. 3,000/- per month will be paid, as ordered by Judge, Family Court. With the above modifications, both the revisions are hereby disposed of.

Let the lower court record be sent back.

**(Servesch Kumar Gupta, J.)**  
31.12.2012