

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Criminal Misc. Petition No. 1082 of 2016**

Ravikant Gupta son of Arjun Gupta, aged about 25 years, resident of village Silouta, Police Station and Tahsil Pratappur, District Surajpur (CG)

---- Petitioner

**Versus**

Ankita Gupta wife of Ravikant Gupta, daughter of Prabhu Gupta, aged about 21 years, resident of village Durti, P.S. and Tahsil Pratappur, District Surajpur (CG)

---- Respondent

---

For Petitioner : Shri V. K. Pandey, Advocate

---

**Hon'ble Shri Justice P. Sam Koshy****Order On Board****30.09.2016**

The present petition has been filed seeking for quashment of the order dated 30.08.2016 passed by the Additional Sessions Judge, Pratappur, District Surajpur in Criminal Revision No.05/2016 whereby the Revisional Court has rejected the revision petition preferred by the petitioner against the order dated 01.06.2016 granting interim maintenance to the respondent and the child born to her.

2. A bare perusal of the impugned order itself reflects that it is a proceeding under Section 125 of CrPC initiated by the respondent and her minor child born against the petitioner. The learned JMFC, Pratappur while considering the interim application seeking for grant of maintenance vide its order dated 01.06.2016 allowed the same and ordered the petitioner for payment of Rs.2,000/- to the respondent and Rs.2,000/- to the child, totaling Rs. 4,000/- per month pending the proceeding under Section 125 CrPC.

3. It is the order dated 01.06.2016 which was put to challenge before the

Additional Sessions Judge, Pratappur in Criminal Revision No. 05/2016. The Revisional Court also after appreciating the finding of the trial Court and the pleadings of the parties did not find a strong case for interfering with the order dated 01.06.2016 and rejected the revision petition vide its order dated 30.08.2016.

4. It is this order of the Revisional Court dated 30.08.2016 which has been put to challenge in the present petition.

5. On perusal of the two orders of the Court below this Court has no hesitation to reach to the conclusion that there is no illegality or infirmity committed firstly by the trial Court in deciding the interim application seeking for maintenance pending the proceeding under Section 125 CrPC and subsequently by the Revisional Court in affirming the order of the trial Court vide impugned order dated 30.08.2016.

6. Accordingly, the present CrMP being devoid of merit stands rejected.

7. However, taking into consideration the fact that the application of the respondent under Section 125 CrPC is pending since September, 2015, it is expected that the trial Court shall make all endeavour for disposal of the same as expeditiously as possible.

**Sd/-**

**P. Sam Koshy**

Judge