

Hon'ble Alok Singh, J.

Mr. D.C.S. Rawat, Advocate for the revisionists.

Mr. Bhuvnesh Joshi, Advocate for the respondent no. 2.

Revisionists are father-in-law and mother-in-law of respondent no. 2. Son of revisionists was died on 16.02.2004. After his death, respondent no. 2 got service on compassionate ground. Revisionists claimed maintenance under Section 125 CrPC against respondent no. 2. Parties entered into compromise. Suit filed by the revisionists was disposed of in terms of compromise. Thereafter, respondent no. 2 got married with another man. She filed a Misc. Case No. 5 of 2011 under Section 127 CrPC, which was allowed by the Sessions Court and directed that revisionists will not be entitled for any maintenance. Feeling aggrieved, revisionists approached this Court.

Mr. D.C.S. Rawat, Advocate for the revisionists submits that since the order of maintenance was passed on the basis of compromise, therefore, case under Section 127 CrPC was not maintainable.

Mr. Bhuvnesh Joshi, Advocate for respondent no. 2 submits that the relation between revisionists and respondent no. 2 came to an end, when respondent no. 2 got married with another man.

I am not convinced with the argument of Mr. D.C.S. Rawat, Advocate. Under Section 125 CrPC maintenance can be given to wife, children and parents. Former father-in-law and mother-in-law are not covered under the provision of Section 125 CrPC. Therefore, order of maintenance was void. I do not find any illegality or perversity in the impugned order.

Accordingly, revision fails and is hereby dismissed.

(Alok Singh, J.)

29.03.2019