

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Revision No. 640 of 2024

Vikas Kumar

....Revisionist

Vs.

Vandana

..... Respondent

Present:-

Mr. Deepak Chandra, Advocate for the revisionist.

JUDGMENT

Hon'ble Ravindra Maithani, J. (Oral)

The challenge in this revision is made to the order of interim maintenance dated 24.07.2024, passed in Case No.19 of 2024, Smt. Vandana Vs. Vikas, by the court of Family Judge, Haridwar ("the case"). By it, the revisionist has been directed to pay Rs. 5,000/- to the respondent, per month, as interim maintenance.

2. Heard learned counsel for the revisionist and perused the record.

3. The respondent filed an application under Section 125 of the Code of Criminal Procedure, 1973 ("the Code"), seeking maintenance from the revisionist. According to the respondent, she and the revisionist were married on 22.02.2023, but after marriage, she was harassed and tortured in her in-laws' house for and in connection with the demand of dowry. She was beaten up, and finally, expelled from her matrimonial home on 05.10.2023. The respondent is staying in her parents'

house. She is not able to maintain herself, whereas, the revisionist is a man of means.

4. In the case, an application for interim maintenance was also filed, which has been objected to by the revisionist. In his objections, the revisionist has admitted that he works on contract basis and his monthly income is Rs. 14,832/-, per month.

5. At the time of hearing the application for interim maintenance, none appeared for the revisionist. The court, after perusing the record and hearing learned counsel for the respondent, passed the impugned order.

6. Learned counsel for the revisionist would submit that the revisionist has already filed a suit for Restitution of Conjugal Rights; the revisionist is ready and willing to keep his wife with him; he has ailing father. He would also submit that if notices are issued, perhaps, parties may arrive at a settlement.

7. Only for exploring the possibility of amicable settlement between the parties, notices in such matters, like the instant one, may not be issued. There are limited grounds for interfering in the revision. After all the order that is impugned is the interim maintenance order. The proceedings are still pending in

the court below. Parties may still explore the possibility of settlement in that court.

8. It is admitted that the respondent is legally wedded wife of the respondent. She is staying separate. There are divergent versions with regard to the cause of separation. It would finally be determined once parties are permitted to adduce evidence. The respondent states that she is not able to maintain herself. According to the revisionist, he gets Rs. 14,832/-, per month, as salary. Rs. 5,000/- has been awarded to the respondent, as interim maintenance. This order, in the view of this Court, does not warrant any interference. Accordingly, the revision deserves to be dismissed, at the stage of admission itself.

9. The revision is dismissed *in limine*.

(Ravindra Maithani, J.)
25.11.2024