

**.IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC,
CHINTAMANI**

::PRESENT::

**SMT. HARSHITHA B.A., LL.B
Addl. Civil Judge & JMFC,
Chintamani**

Crl.Misc.2048/2022

Dated this the 30th day of April 2026

PETITIONER:

Smt.Amrutha.M
W/o K.N.Supreeth,
D/o Munireddy,
Aged about 28 years,
R/at Gudicilahalli Village,
Mandigal Panchayath,
Chintamani Taluk,
Chikkaballapur District.

(Rep. by Sri.N.V.R., Advocate)

V/S

RESPONDENT:

Sri.K.N.Supreeth,
S/o Narayanaswamy,
Aged about 33 years,
R/at Kottanuru,
Kottunuru Gramapanchayath,
Sidlaghatta Taluk,
Chikkaballapur District.

(Rep. by Sri.K.A., Advocate)

ORDERS ON MAIN PETITION UNER SEC.144 OF BNSS.

This petition is filed by the petitioner with a prayer to grant a monthly maintenance of Rs.10,000/- to the petitioner from the respondent.

2(a). The brief facts of the petition are as follows:

The petitioner submit that, petitioner is the legally wedded wife of the respondent, her marriage with the respondent was solemnized on 15-03-2021 in Lakshmivenkataswaraswamy Sannidi, situated at Alambigiri of Chintamani Taluk as per the rites and customs prevailed in their community in presence of the elders, relatives, friends and well wishers. At the time of marriage the petitioner parents presented golden ornaments viz., one golden neck chain, bracelet, finger ring, valuable clothes to the rspondent, her parent's have also given valuable silk sarees, golden neck hara, golden bangales, ear studs, nose ring, silver leg chains etc., the petitioner. The petitioner and respondent were led married life amicably only for 7-8 months. The respondent addicted to bad habits of indulging

in gambling and illegal contact with other women and wasting all his earnings.

2(b). It is further submitted that, three months back the respondent assaulted the petitioner and necked her out of the house and warned that she should not enter into the house unless she failed to bring money from her parental home. The petitioner came to her parent's house and residing under their shelter, her parents are also very poor and they are unable to maintain themselves. The respondent has been harassing the petitioner constantly and consistently, he has not at all tried to take back the petitioner to his house. The respondent has utterly failed to provide all necessities of life comfortably viz., food, shelter, cloths, medical care and other things which are required to lead matrimonial life by the petitioner.

2(c). The petitioner has been put to mental agony and misery due to the abandonment of the respondent willfully without any reasonable cause and he has deprived the petitioner from conjugal happiness, refused to maintain her,

failed to provide necessities of life, and threatened the petitioners with dire consequences by consuming alcohol. The petitioner is not in a position to pull on remaining future life with the respondent for the reasons stated above as the respondent has withdrawn from the society of the petitioner completely and abandoned her. The respondent family own huge landed properties and house and he is also doing business and earning Rs.30,000/- per month. The respondent is capable to pay the maintenance amount to her. Hence, this petition.

3. After issuance of notice, the respondent appeared through his counsel and filed objections. In the objections the respondent denied the entire petition averments and submitted that, the petition is not maintainable either in law or on facts and the same is liable to be dismissed in limine. The respondent however admitted that, the parents of respondent and respondent with great love and affection towards petitioner herein have presented golden ornaments weighting about 40 gms and also given silk saris worth

Rs.30,000/- and other things to petitioner and thereby the respondent and petitioner lead happy marital life at marital home of respondent herein. It is further submitted that, the petitioner with the instigation of her parents has deserted the respondent. The efforts of parents of respondent, elders, well wishers to lead our life together also went in vain. The respondent is doing coolie work and he has no property in his name. The respondent has undergone mental agony. The respondent is also filed petition U/Sec.9 of Restitution of conjugal rights before Hon'ble Senior Civil Judge, Shidlagatta in MC No.34/2022. The petitioner has filed this frivolous application and hence liable to be dismissed.

4. The petitioner in order to prove her petition, she herself examined as PW-1 and produced 4 documents marked as per Ex.P-1 to 4.

5. Heard the argument and perused the oral and documentary evidence available on record.

6. The following points that would arise for my consideration:

1. Whether the petitioner proves that the respondent being the dutiful husband of petitioner having sufficient means neglected or refused to maintain her?
2. Whether the petitioner is entitled for monthly maintenance from the respondent of Rs.10,000/- to the petitioner and she is entitled for the relief as sought?
3. What order?

7. My findings to the above points are as under:

Point No.1: In the affirmative

Point No.2: Partly in the affirmative

Point No.3: As per final order for the following...

REASONS

8. POINT NO.1:- From the perusal of the materials on record, the relationship of the parties is not in dispute. The respondent has admitted that the petitioner is his wife. In the objections to the main petition filed by the respondent, she is not entitled for maintenance. This also shows the

neglect by the respondent in taking care of the petitioner. The respondent has not cross examined the petitioner with this regard or lead any evidence from his side. Hence, the evidence of P.W-1 is uncontroverted and is believable.

9. There is no dispute with regard to the relationship between the parties. The MC case filed before Senior Civil Judge, Chintamani for restitution of Conjugal rights by the respondent shows that the respondent and petitioner is not leading the life together. All these facts show that, the respondent has neglected the petitioners.

10. In order to prove the petition, the petitioner got examined herself as PW.1 and filed her chief examination affidavit and in lieu of evidence examined as P.W.1 and she has reiterated the entire petition averment and she has got marked 3 documents as per Ex.P.1 to 4. Ex,P.1 and 2 are the Marriage Invitation cards and Ex.P-3 & 4 are the marriage photos. These documents corroborate with the claim of the petitioner.

11. The petitioner in her affidavit has also submitted that, the respondent has neglected her. The respondent earns more than Rs.30,000/- per month and is able to pay the maintenance. Hence, I answer point No.1 in the **‘Affirmative.’**

12. POINT NO.2:- The petitioner has failed to produce the documents to show monthly income earned by the respondent. Hence, there is no clarity as to what the exact income of the respondent per month. The monthly maintenance sought by the petitioner is for the sum of Rs.10,000/- per month to petitioner. The relationship of the parties is not in the dispute. It is the duty of the respondent to give maintenance to the petitioner for her everyday needs. Taking all these factors into consideration, I find that the petitioner is entitled to Rs.6,000/- per month as monthly maintenance from the respondent. Considering the medical and basic needs of the petitioners and also looking into the cost of living in today's society, it deems fit to direct the respondent to pay monthly maintenance of Rs.6,000/- to the

petitioner. This amount may suffice the need of the petitioner and it would be convenient for the respondent to pay the same for the above said reasons. Hence in the light of the above discussion, I answer the point No.2 in the partly **‘Partly Affirmative.’**

13. POINT NO.3:- In view of my finding to the above points, I proceed to pass the following:

ORDER

The petition filed by the petitioner under section 125 of Cr.P.C is hereby partly allowed.

Accordingly, the respondent is hereby directed to pay maintenance of Rs.6,000/- per month to the petitioner from the date of this order till her lifetime or re-marriage of her.

(Dictated to the Stenographer directly on the computer, computerized by her, corrected, signed and then pronounced by me in the open Court on this the 30th day of April 2026)

Sd/-
(Smt.HARSHITHA)
Addl. Civil Judge & JMFC
Chintamani.

ANNEXURE**1. List of witnesses examined for the petitioners:**

P.W.1 : Amrutha

List of documents exhibited for the petitioners:

Ex.P.1 & 2 : Marriage Invitation cards.

Ex.P.3 & 4 : Marriage Photos.

List of witnesses examined for the respondent::

-Nil-

List of documents exhibited for the respondent:

-Nil-

Sd/-

(Smt.HARSHITHA)

Addl. Civil Judge & JMFC,
Chintamani.