

ORDER

The advocate for petitioner No.1 has filed an application under section 144(1) R/w Sec.151(125 of CRPC) seeking jointly interim maintenance of Rs.7,500/- to the petitioner No.1 and 2 from respondent.

2. It is contended in the application that petitioner No.1 is the legally wedded wife of respondent and she begotten petitioner No.2 out of wedlock at GIMS Hospital. Out of petitioner No.2 there are two more issues to the couples by name Mohammad Arafat and Mohammad Abuzar. She has filed similar petition in CRL.MISC.NO.1261/2023 and Hon'ble Court was pleased to order for payment of interim maintenance of Rs.5,000/- per month. But on 16.01.2024 petitioners and respondent have filed joint memo by way of compromise it was closed on promise to lead happy conjugal life and

stayed there Harmonically till September 2024 during which period she again conceived. By hearing the same respondent picked up quarrel and left the house alongwith his belonging and his children and not turned up. Having once experience the effect of joint leading matrimonial life she do not want to join and lead life with him as she is having threat of life. The respondent doing scrape trading business and also earns a good future out of it. I addition it is submitted that respondent is having illicit relation. During the days of rising crises of essential commodities the petitioner No.1 being Parda Naseen Lady she is in need of monthly maintenance of Rs.10,000/- for herself and Rs.5000/- for minor petitioner No.2 from respondent.

3. Heard and perused the case records.

4. I have gone through the entire pleadings and documents on record. In this case, the petitioner No.1 has produced copies of earlier petition filed in Crl.Misc.1261/2023, entire order sheet, joint memo and objection and except that they have not submitted any documentary evidence to show monthly income of respondent. Prima facie shows that as there is no dispute about relationship. Hence, at this stage, the Court cannot go into the details and it is matter to be dealt after the evidence. Therefore, in view of the relationship between the parties, it is the bounden duty of the respondent to maintain the petitioners. Hence, the petitioners are entitled for interim maintenance. In the earlier petition this court ordered interim maintenance of Rs.5,000/- towards the

petitioners. Therefore, I am of the opinion that, looking to the facts and circumstance of the case and financial condition of both the parties, it is just and proper to award interim maintenance of Rs.3,000/- per month to the petitioner No.1 and Rs.1,000/- to petitioner No.2 from respondent till further orders. In that event, no hardship and injustice would be caused to both the parties. Hence, I proceed to pass the following;

ORDER

The application filed under section 144(1) R/w 151(125 of CRPC) by the petitioner No.1 is hereby allowed in part.

The respondent is directed to pay the interim maintenance of Rs.2,000/- per month to the petitioner No.1 and Rs.1,000/- to petitioner No.2 from the date of this order till further order.

Crl.Misc.No.504/2026

Issue notice of this order and notice of
main petition to the respondent, if PF paid.

Call on:

**Prl.Civil Judge & JMFC
Aland**