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	Decided on	10.03.2026
	Duration	Ys Ms Ds 10 01 09

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
BULDHANA**

(Presided over by **Shaikh Akbar Shaikh Jafar**)

Criminal Revision No.15/2016

Exh.No. 11

Devidas Ramdas Chavan, }
Age-39 years, Occ.Security Guard, }
R/o Dr.Hedgewar Hospital, }
Garkheda Parisar, Aurangabad, }
Tq.Dist. Aurangabad } **...Revision-petitioner**

..Versus..

1] Sau.Sindhu Devidas Chavan, }
Age-35 years, Occ.Nil, }
2] Ku.Vaishnavi Devidas Chavan, }
Age-14 years, Occ.Education, }
3] Shantanu Devidas Chavan, }
Age-9 yearsm, Occ.Education, }
All R/o Old Ajispur Road, }
Shri Swami Samarth Nagar, }
Buldhana, Tq.Dist.Buldhana, } **...Respondents**

Appearances:

Smt.Kiran Rathod [Umak], Advocate for Revision-petitioner,
Shri S.M.Chopade, Advocate for Respondents.

JUDGMENT

(Delivered on this 10th day of March 2026)

1] This criminal revision is filed against the judgment and order passed by learned Magistrate, Buldhana in Sum.Cri.Case No.86/2015, dated 6.11.2015 whereby learned Magistrate granted maintenance to the respondents.

2] It is the contention of revision-petitioner that respondent No.1 is his wife and respondents No.2 and 3 are their children. Respondents have filed criminal case under Section 125 of Cr.P.C. before learned trial Court for getting maintenance. Learned trial Court by presuming the fact that revision-petitioner is having Rs.8,00,000 to Rs.9,00,000/- in bank account and getting interest thereon, granted maintenance to the respondents. However, respondents have not produced any documentary evidence in that regard. As such, the learned trial Court has not considered the evidence properly and granted maintenance to the respondents. The learned trial Court has erred in passing the order. The impugned judgment and order is against facts and law and lastly prayed for setting aside the order of learned Magistrate.

3] In response to the notice, respondent appeared before Court through learned Counsel.

4] Having regard to contentions of revision-petitioner pleaded in the revision-petition and the submissions of

respondents, following points arise for my determination and I have recorded my reasons as under;

Sr. No.	Points	Findings
1]	Does respondent/wife prove that revision-petitioner has neglected or refused to maintain respondents ?	In the affirmative
2]	Whether impugned judgment and order of learned Magistrate needs interference ?	In the negative.
3]	What order ?	As per final order.

REASONS

5] Heard the Counsel of respondents at length. Revision-petitioner and his Counsel are absent today. It appears from the roznama that the revision-petitioner and his Counsel are absent since 13.2.2024. As the matter is pending since more than 9 years, the revision-petition is taken up for decision, considering the contentions of the revision-petitioner in the petition and the submission of Counsel of respondents.

AS TO POINT NO.1 -

6] It reveals from the record that the Misc.Cri.Application bearing No.86/2015 was proceeded ex-parte against the revision-petitioner, but the observation in the para No.4 of the impugned judgment shows that the revision-petitioner was appeared before learned trial Court on 8.6.2015 through his Counsel, but failed to file reply. Hence, matter proceeded further without his reply. It also

appears that the revision-petitioner and his Counsel did not appear to cross-examine the witness of respondents. Therefore, the testimony of respondents before trial Court remained unchallenged. In this revision also, the revision-petitioner and his Counsel are absent since long. There is no proof on record that the revision-petitioner has provided any sort of maintenance to the respondents at any time during the pendency of the proceeding before learned trial Court or during the pendency of this revision-petition. Therefore, I am of the view that the conclusion drawn by the learned trial Court that the revision-petitioner has neglected to maintain the respondent No.1 being wife and respondent Nos. 2 and 3 being children is justified. Hence, I answer point No.1 in the affirmative.

AS TO POINT NO.2 -

7] In view of my finding to the point No.1, it is duty of revision-petitioner to provide maintenance to the respondents. He being able bodied person, he has to provide maintenance to the respondents who are unable to maintain themselves. The learned trial Court has granted maintenance as per order dated 6.11.2015 i.e. prior to 10 years. Now, considering the price hike of daily needs, the respondents are entitled to apply for enhancement. However, there is no such prayer made by the respondents. Hence, the issue of enhancement cannot be looked into. I am of the view that the maintenance granted by learned trial Court is just and proper, needs no interference. Hence, I answer point No.2 in the negative. In the result, I proceed to pass the following order.

ORDER

- 1] Revision-petition stands dismissed.
- 2] Inform to the learned trial Court accordingly.
- 3] Record and Proceeding be sent to learned trial Court.

Buldhana
Date: 10.3.2026

(Shaikh Akbar Shaikh Jafar)
Additional Sessions Judge,
Buldhana