

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (FOR MAINTENANCE) NO. 304 of
2025**

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PATEL JIGNESHKUMAR RAMANBHAI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR ARSHAD SHAIKH(11761) for the Applicant(s) No. 1

MR HARDIK MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 04/03/2025****ORAL ORDER**

1. Notice returnable on 1st April, 2024. Mr.Hardik Mehta, learned Assistant Government Pleader waives service of notice for the respondent no.1 – State.

2. By way of the present Revision Application, the applicant has challenged the judgment and order passed by the learned Judge, Family Court, Kadi (Mehsana) in Criminal Misc. Application No.149 of 2024 filed under Section 125 for getting maintenance whereby the learned Judge, Family Court, Kadi (Mehsana) has been pleased to order the applicant to pay a sum of Rs.4,000/- to the respondent no.2 and Rs.2,000/- to the respondent no.3 from 17th April, 2023 and also Rs.1,000/-

towards cost.

2. Heard Mr.Arshad Shaikh, learned advocate for the applicant.

3. Mr.Arshad Shaikh, learned advocate for the applicant has submitted that learned trial Court has committed an error to ascertain the income of the present applicant. The trial Court has accepted that the applicant is doing the agriculture work and his income is Rs.15,000/- to Rs.20,000/-. However, the trial Court failed to consider that the applicant is having responsibility to maintain his son, mother and himself also.

4. Mr.Arshad Shaikh, learned advocate requests to stay the order passed by the learned trial Court. He further submits that the applicant is ready and willing to show his bona-fide and to deposit the amount towards arrears till date and the applicant will also continue to pay the maintenance amount, if reasonable order is passed.

5. In view of the above, the applicant is directed to pay the arrears amount within 10 days and also continue to pay Rs.5,000/- per month as per the order dtd.21.11.2024 passed by the learned trial Court.

6. Having regard to the above terms and conditions, the impugned order passed by the learned Judge, Family Court, Kadi (Mehsana) in Criminal Misc.Application No.149 of 2024 is hereby stayed in terms of para 11 (C). Direct service is permitted.

MOHMMEDSHAHID

(HASMUKH D. SUTHAR,J)