

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Revision No. 812 of 2022

Pramay A. Chattra @
Pramay Amritlal Chattra @
Pramay Chhatra Petitioner
Versus
Anamika Kr. Singh @
Anamika P. Chattra Opp. Party

CORAM: HON'BLE MR. JUSTICE NAVNEET KUMAR

For the Petitioner : Mr. Sidharth Roy, Advocate
For the State : Addl. P.P.

Order No. 05: Dated: 26th April, 2023

Heard the learned counsel for the parties.

I.A. No. 1330 of 2023

The present interlocutory application has been filed on behalf of the petitioner with a prayer to stay the operation of the order dated 06.05.2022 passed by the learned Additional Principal Judge, Addl. Family Court II, Dhanbad in M.P. Case No. 272 of 2015 which was filed by the opposite party for maintenance case u/S. 125 of Cr.P.C.

It has been pointed out that there is a patent error on the face of the order dated 06.05.2022 passed by the learned court below in view of the fact that it is an admitted case of the opposite party that she had solemnized the marriage with petitioner during the period of subsisting her earlier marriage with one Raj Kumar Singh which is evident from the deposition of P.W. 1 (O.P.). Further it has also been pointed out that the mother of Opposite Party (P.W.2) has also accepted in her deposition that her daughter (opposite party) has solemnized another marriage with this petitioner during the period of subsisting her earlier marriage. Further, it has also been pointed out that as soon as the petitioner came to know about her earlier marriage, he filed a Family Suit being Family suit No. 315/2016 in

Rajkot District to declare his marriage with the opposite party null and void and the said suit his pending for adjudication and therefore, the payment of Rs. 20,000/- (Rupees Twenty Thousands Only) per month as maintenance passed in the impugned order is bad in law in view of the aforesaid admitted facts.

Having taken into consideration the aforesaid submissions advanced on behalf of the revisionist-petitioner, it is found just and proper to stay the operation of order dated 06.05.2022 passed by the learned Additional Principal Judge, Family Court II, Dhanbad in M.P. Case No. 272 of 2015, accordingly, operation of the order dt. 06.05.2022 passed by the learned Additional Principal Judge, Family Court II, Dhanbad in M.P. Case No. 272 of 2015 shall remain stayed till the next date.

Accordingly, I.A. 1330 of 2023 gets disposed of.

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Learned counsel for the petitioner is directed to take steps to issue notice upon the opposite party by both the process i.e. by ordinary process as well as by registered cover with A/D for which requisites etc. must be filed within a period of four weeks, failing which this criminal revision application shall stand dismissed without further reference to the Bench.

Put up this case on 20.07.2023.

(Navneet Kumar, J.)

MM