



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

CRIMINAL PETITION NO. 1143 OF 2018

C/W

CRIMINAL PETITION NO. 467 OF 2022

IN CRL.P No. 1143/2018

BETWEEN:

1. R. ROOPA
D/O MARIKUNTE RANGAPPA
W/O A.R. SOMASHEKHAR
AGED ABOUT 31 YEARS.
2. MASTER YASHAH
S/O A.R. SOMASHEKHAR
AGED ABOUT 10 YEARS,

SINCE THE PETITIONER NO.2 IS MINOR
REPRESENTED BY HIS MOTHER
WHO IS PETITIONER NO.2 HEREIN.

BOTH ARE R/A
GOPANAHALLI VILLAGE,
CHALLAKERE TALUK,
CHITRADURGA DIST 577001

...PETITIONERS

(BY SRI. SPOORTHY HEGDE N., ADVOCATE)

AND:

A R SOMASHEKAR





S/O V. RUDRAPPA
AGED ABOUT 60 YEARS,
LECTURER, GOVT.PRE-UNIVERSITY COLLEGE,
VARTHUR,
BANGALORE RURAL DISTRICT-563 125.

...RESPONDENT

(BY SRI. JAGADISH J R., ADVOCATE)

THIS CRL.P IS FILED UNDER SECTION 482 OF THE THE CODE OF CRIMINAL PROCEDURE, 1973 BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO SET ASIDE THE IMPUGNED ORDER PASSED IN CRL.MISC.NO.708/2012 DATED 21.01.2017 PASSED BY 1ST ADDITIONAL CIVIL JUDGE AND JMFC, CHITRADURGA AS PER ANNEXURE 'C' AND ORDER DATED 20.09.2017 PASSED BY THE SPECIAL 2ND ADDITIONAL DISTRICT AND SESSIONS JUDGE, CHITRADURGA IN CRL.REV. PETITION NO.26/2017.

IN CRL.P NO. 467/2022

BETWEEN:

A.R.SOMASHEKHAR
S/O V.RUDRAPPA,
64 YEARS, R/AT NO.703,
2ND CROSS, ANANDAGIRI EXT,
BEHIND GOVT. HIGH SCHOOL,
HEBBAL,
BANGALORE-560024

...PETITIONER

(BY SRI.J.R.JAGADISH, ADVOCATE)

AND:

1. R.ROOPA
D/O MARIKUNTE RANGAPPA,
50 YEARS,



2. MASTER YASHAS
S/O A.R.SOMASHEKHAR,
15 YEARS,
BOTH ARE RESIDING AT
GOPANAHALLI VILLAGE,
CHALLAKERE TQ-577522,
CHITRADURGA DIST.

...RESPONDENTS

(BY SRI.SPOORTHY HEGDE N., ADVOCATE)

THIS CRL.P IS FILED UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, 1973 BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO QUASH AND MODIFY THE ORDER DATED 20.09.2017 IN CRL.RP.NO.26/2017 PASSED BY THE SPECIAL II ADDL. DISTRICT AND SESSIONS JUDGE, CHITRADURGA IS PRODUCED HEREWITH AS ANNEXURE-A.

THESE PETITIONS, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioners have challenged the order dated 21.01.2017 passed by the 1st Additional Civil Judge and JMFC, Chitradurga in Crl.Mis.No.708/2012 as well as the order dated 20.09.2017 passed by the 2nd Additional District and Sessions Judge, Chitradurga in Criminal Revision Petition No.26/2017.



2. The petitioner No.1 is the wife, while the petitioner No.2 is the son of the respondent. The petitioners filed Crl.Mis.No.708/2012 under Section 125 of the Code of Criminal Procedure, 1973 (henceforth referred to as 'Cr.P.C.') claiming maintenance of Rs.25,000/- per month.

3. The petition was opposed by the respondent, following which the trial Court recorded the evidence of the parties and in terms of an order dated 21.01.2017 allowed the petition in part and directed the respondent to pay a sum of Rs.8,000/- per month to each of the petitioners. Being aggrieved by the said order, the respondent filed Cr.R.P.No.26/2017. The Revisional Court in terms of an order dated 20.09.2017 allowed the revision in part and reduced the maintenance to a sum of Rs.4,000/- per month to the petitioner No.2 till he attained the age of majority. Being aggrieved by the same, the petitioners are before this Court.

4. The learned counsel for the petitioners contended that the Revisional Court failed to note that the respondent is a lecturer drawing a sum of Rs.47,991/- as on October, 2015 and therefore the respondent had sufficient means to pay



maintenance to the petitioners. He also contends that both the petitioners are residing in the house of the father of petitioner No.1 and they have no source of income. He contends that the petitioner No.2 is a school going boy, who has heavy expenses to meet and therefore, the Revisional Court committed an error in reducing the maintenance awarded by the trial Court and also in denying the legitimate right of the petitioner No.1.

5. The learned counsel for the respondent is absent and therefore, this Court did not have the benefit of his submissions.

6. A perusal of the order passed by the Revisional Court would show that the Revisional Court had not altered or modified the maintenance awarded to the petitioner No.1 but had only altered the maintenance in so far as petitioner No.2 is concerned. The respondent has not disputed the fact that he was employed as a lecturer.

7. Having regard to the fact that the Revisional Court has recorded reasons for reducing the maintenance payable to the petitioner No.2 and also having regard to the fact that the petitioners are residing in a remote village in Chitradurga, the



maintenance awarded by the Revisional Court is just and proper and does not warrant any interference. Accordingly, the petition is ***dismissed***.

8. In view of the order passed in Criminal Petition No.1143/2018, Criminal Petition No.467/2022 is also ***dismissed***.

**Sd/-
(R. NATARAJ)
JUDGE**

BKN
List No.: 1 Sl No.: 13