

Court No. - 87

Case :- CRIMINAL REVISION No. - 3475 of 2024

Revisionist :- Pushpendra Patel

Opposite Party :- State Of U.P. And 2 Others

Counsel for Revisionist :- Ray Sahab Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the revisionist and learned A.G.A. for the State.
2. It has been contended on behalf of the revisionist that a compromise had already been entered into in between the revisionist and Opposite Party No. 3 and on that basis the decree of divorce had been passed by the competent court.
3. It has further been contended that under the compromise, entire dispute already stood settled.
4. Learned counsel appearing for the revisionist has argued, that in spite of the aforesaid compromise, Opposite Party No. 2 had filed an application for maintenance under Section 125 Cr.P.C. and that application had been allowed vide impugned order dated 14.05.2024.
5. It has further been argued that once the entire dispute was settled and thereafter application filed under Section 125 Cr.P.C., by Opposite Party No. 2 & 3 was withdrawn, there cannot be any occasion for filing fresh application under Section 125 Cr.P.C.
6. Learned counsel appearing for the revisionist just to show bona fide of the revisionist has placed before this Court a demand draft of Rs. 2,00,000/- issued in favour of Opposite Party No. 3.
7. Let demand draft be returned to learned counsel appearing for the revisionist.
8. Issue notice to Opposite Parties No. 2 & 3 returnable within three weeks.
9. List this matter on 5.12.2024 as fresh, amongst top ten cases.
10. Till the next date of listing, no coercive measures shall be

taken against the revisionist pursuant to the impugned order dated 14.05.2024 passed by the Principal Judge, Family Court, Jhansi in Criminal Misc. Case No. 261 of 2021 (Shivansh Patel Vs. Pushpendra Patel).

11. It is made clear that this interim order shall be extended only when the demand draft of Rs. 2,00,000/- is handed over to Opposite Party No. 3, on the next date.

Order Date :- 7.11.2024

Gaurav