



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 5376 of 2024

Raj Singh

.....Revisionist(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Revisionist(s) : Ayyaz Khan, Vivek Kumar Shukla

Counsel for Opposite Party(s) : Richa Kumari, G.A., Ramesh Kumar Yadav

Court No. - 89

HON'BLE GARIMA PRASHAD, J.

1. None appears for the revisionist, even in the revised call.
2. Sri Rakesh Kumar Tripathi, learned counsel holding brief of Ms. Richa Kumari, learned counsel for respondent no. 2 is present and submits that interim order was granted in favour of revisionist by this Court on 5.11.2024. However, thereafter, the revisionist has only delayed the matter and is not pursuing the revision. An amount of Rs. 3500/- per month was awarded as maintenance towards wife and Rs. 2500/- per month was awarded in favour of the child. However, no amount has been paid by the revisionist.
3. Learned counsel for opp. party no. 2, thus, seeks vacation of the stay order dated 5.11.2024 passed by this Court.
4. The interim order has been granted in favour of the revisionist on the ground that opp. party no. 2 has performed second marriage with someone else without dissolving the marriage with the revisionist. However, no averment has been made in respect of maintenance of child. Though learned counsel for opp. party no.2 denies that opp. party no.2 has

remarried, however, this Court will not enter into the merits of the case at this stage. There is no dispute that the child is of the revisionist, hence, the stay order dated 5.11.2024 is modified to the extent it stays that the entire impugned order dated 23.8.2024 and now the impugned order shall remain stayed subject to payment of Rs. 2500/- per month towards child, which shall be payable to the child along with arrears within four weeks from today.

4. List after four weeks.

December 5, 2025

Gss

(Garima Prashad,J.)