



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL REVISION PETITION NO.1674 OF 2025

BETWEEN:

1. SUNIL D.R.,
S/O.D. RAVIPRAKASH
AGED ABOUT 32 YEARS
RESIDING AT NO.603
MIG-2, HUDCO, III PHASE
SHARADADEVI NAGARA
MYSORE-570 023.

...PETITIONER

(BY SRI. RAJANNA, ADVOCATE)

AND:

1. SHARADA S. RAIKAR
W/O. SUNIL D.R,
D/O. K. SUDESH RAIKAR
AGED ABOUT 27 YEARS
RESIDING AT DEEPA NILAYA
1ST FLOOR, HOIGEBAIL ROAD
ASHOK NAGAR
MANGALORE-575 006.

...RESPONDENT

(BY SRI. K. SHARANJITH SHETTY, ADVOCATE)

THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF CR.P.C PRAYING TO SET ASIDE THE IMPUGNED ORDERS PASSED BY THE FIRST APPELLATE COURT THAT IS VI ADDL. DISTRICT AND SESSIONS JUDGE D.K.MANGALURU, IN CRIMINAL APPEAL NO.188/2025 DATED 12.09.2025 AND THE





IMPUGNED ORDERS OF THE COURT OF JMFC III COURT, MANGALURU D.K. ON THE APPLICATION OF THE PETITIONER UNDER SECTION 25 OF PWDV ACT DATED 20.12.2025 FOR MODIFICATION OF THE EXPARTE INTERIM ORDER GRANTED BY THE TRIAL COURT IN FAVOUR OF RESPONDENT U/S 23(2) OF PWDV ACT 2005 AND CONSEQUENTLY DISMISS THE INTERIM APPLICATION OF THE RESPONDENT FILED BEFORE THE TRIAL COURT U/S 23(2) OF THE PWDV ACT IN ITS ENTIRELY.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

This matter is listed for admission and I have heard learned counsel of the petitioner and learned counsel for the respondent.

2. This revision petition is filed against the interim-maintenance award passed by the Trial Court, wherein the Trial Court, while entertaining an application filed under Section 23(2) of Protection of Women from Domestic Violence Act, taken note of the affidavit filed by the respondent herein and also taken note of declared income of respondent No.1 that is in a sum of Rs.85,000/- per month and the petitioner in her assets and liabilities stated that respondent No.1 is working as Risk Manager Engineer at Amazon, Bengaluru and taking note



of Section 23(2) of Protection of Women from Domestic Violence Act comes to the conclusion that there is no bar to grant ex-parte interim order.

3. Learned counsel appearing for the revision petitioner would submit that the petitioner is getting only salary of Rs.38,000/- and the respondent is also earning and all these aspects have to be considered while considering the matter on merits after recording the evidence and granting of interim maintenance of Rs.10,000/- per month is only an interim arrangement. When such being the case and the same is also for subsistence and maintenance of the respondent, the First Appellate Court also while passing the order in Criminal Appeal taken note of said fact into consideration and particularly, taken note of the order passed by the Trial Court in paragraph Nos.19 and 20 comes to the conclusion that it does not require any modification of the same. When such reasoning is given by the Trial Court as well as the First Appellate Court with regard to awarding of an amount of Rs.10,000/- as interim-maintenance, I do not find any grounds to interfere with the order of the Trial Court and the First Appellate Court in exercising the revisional



jurisdiction and the interim-maintenance awarded is only Rs.10,000/- per month and the same is not exorbitant. However, it is subject to the evidence to be recorded by the Trial Court with regard to income of both the petitioner and the respondent and the Trial Court can decide the same with regard to quantum of maintenance while deciding the matter on merits. The petitioner is directed to continue to pay the same without default.

With these observations, the revision petition is disposed of.

**Sd/-
(H.P.SANDESH)
JUDGE**

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List No.: 1 Sl No.: 36