

IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS

AIZAWL, MIZORAM

CRIMINAL COMPLAINT No. 193 of 2017 U/S 125 Cr.PC

VL Malsawmfela : Complainant/Petitioner
Represented by
Her mother PC Hmingthanmawii
R/o Bethlehem Vengthlang, Aizawl
Aizawl District

Versus

Shri VL Chhanchhuaha : Respondent
S/o Roluahpuia
3rd Battalion MAP
Thenzawl Post

PRESENT

H. LALDUHSANGA

Judicial Magistrate First Class, Aizawl

Counsel for Petitioner : Sh T Lalnunsiana, Advocate.

Counsel for Respondent :

ORDER

Dt. 23.03.2018

1. This is a Criminal complaint No 193 of 2017 U/S 125 Cr. PC filed by VL Malsawmfela represented by her mother PC Hmingthanmawii R/o Bethlehem Vengthlang, Aizawl, Aizawl District (*hereinafter called Petitioner*) against Shri VL Chhanchhuaha S/o Roluahpuia, 3rd Battalion MAP, Thenzawl Post (*hereinafter called Respondent*) on 14.11.2017.
2. The Petitioner submitted *inter alia* that she married with the Respondent on 11.11.2010 and minor Malsawmfela was born to the parties on 19.10.2011. However, the marriage had stood dissolved in the year 2014 due to misbehaviour and irresponsible manner of the Respondent. The said minor has been under the custody of the petitioner since then. The petitioner has been looking after the said minor with no regular source of income. The Respondent is having sufficient means to maintain them. He is working as a Constable, 3rd Battalion MAP, and posted at Thenzawl and drawing monthly salary. Hence, prayed a monthly maintenance at the rate of Rs 5,000/- for the maintenance of the said minor.

3. The Respondent appeared in person on 19.03.2018 before the Court. Despite informing his right to engage a lawyer of his choice or to avail free Legal Aid Counsel, the Respondent preferred to settle the matter on that day itself by strongly praying for Rs 3,000/- at maximum.
4. Having heard the Ld. Counsel for the petitioner and the Respondent and perused all the documents and on considering the present status and condition of the parties, it is

ORDERED

- That Shri VL Chhanchhuaha S/o Roluahpuia, 3rd Battalion MAP, Thenzawl Post as being a biological father shall make payment of monthly maintenance at the rate of Rs 3,000/- (Three Thousand) to Smt PC Hmingthanmawii R/o Bethlehem Vengthlang, Aizawl, Aizawl District for the maintenance of minor VL Malsawmfela until the minor attains the age of majority as per the Indian Majority Act, 1875 or further Order.
- That the Respondent shall start making payment as per stated in the above from the date of this Order.

With the above Order, this Criminal complaint stands disposed of.

**Given under my hand and seal of this Court on this day of the 23rd
March, 2018 Anno Domini.**

(H. LALDUHSANGA)

Magistrate 1st Class,
Aizawl, Mizoram

Memo No.....: Dated Aizawl, the 23rd March, 2018.

Copy to:-

1. Smt PC Hmingthanmawii R/o Bethlehem Vengthlang, Aizawl, Aizawl District *through Counsel Shri T Lalnunsiana, Advocate.*
2. Shri VL Chhanchhuaha S/o Roluahpuia, 3rd Battalion MAP, Thenzawl
3. The Commandant, 3rd Battalion MAP, Mualpui, Aizawl
4. i/c Judicial Section.
5. Case record.

PESHKAR