**Petition by Wife under section 125, Cr.P.C. 1973 for Maintenance**

In the Court of ........ ... Judicial Magistrate 1st Class

Case No. …………

under s. 125, Cr.P.C.

 Petitioner W (wife)

Opposite Party H (husband)

Daughter of...........

versus

Son of...............................

Village .................... Village...............................

Thana .................... Thana ................................

Occupation............ Occupation........................

In the matter of petition for maintenance of petitioner W from the husband H under S.125, Cr.P.C. The humble petition of W (wife),

 **the petitioner above-named Most respectfully Sheweth:**

1. Your petitioner W is the married wife of the opposite party. The marriage between them was solemnized according to the Hindu rites on ……………

2. The opposite party H is a clerk on the staff of AB & Co. Ltd. holding a responsible position and drawing salary of Rs. 15,000 per month.

3. The opposite party severely assaulted the petitioner on ................................. and drove her away from the matrimonial house on ....................................... in presence of several gentlemen of the locality.

4. That the opposite party leads a life of drunkenness and debauchery. He is besides a man of uncertain temperament and would fly into rage in season and out of season without any reason whatsoever. He has lost all sense of decorum and would use extremely filthy language.

5. Your petitioner after being driven out of the house by the opposite party came over to her father’s placeon the same day and has been staying at father’s house with his family members.

6. The opposite party was served with a pleader’s notice to send your petitioner Rs. 2000 every month for her maintenance but with no result. Having regard to the violent temper of H and his inhuman way of beating your petitioner she does not venture to go back to the place of the opposite party. Your petitioner, therefore, prays that Your Honour may be pleased to issue notice on the opposite party and after taking evidence of both sides be pleased to order the opposite party to pay the petitioner maintenance at the rate of Rs. 2000 per month.

**And your petitioner, as in duty bound, shall ever pray.**

I, W daughter of MN resident at ……… do hereby solemnly affirm and say as following:

1. I am the petitioner above-named and I know the facts and circumstances of the case and I am able to depose thereto.

2. The statements in the paragraphs 1, 2, 3, 4, 5 and 6 of the foregoing petition are true to my knowledge and that I have not suppressed any material fact. Solemnly affirmed by the said Mrs. Won the …….. day of ……. 2013 in the Court House at Calcutta Before me Notary