

Code of Criminal Procedure (Amendment) Act, 2001

Section 2 - Amendment of Section 125

In the Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act), in section 125,
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(i) In sub-section (1), --

(a) The words "not exceeding five hundred rupees in the whole," shall be omitted;

(b) After the proviso and before the Explanation, the following provisos shall be inserted, namely: --

"Provided further that the Magistrate may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this sub-section, order such person to make a monthly allowance for the interim maintenance of his wife or such child, father or mother, and the expenses of such proceeding which the Magistrate considers reasonable, and to pay the same to such person as the Magistrate may from time to time direct:

Provided also that an application for the monthly allowance for the interim maintenance and expenses of proceeding under the second proviso shall, as far as possible, be disposed of within sixty days from the date of the service of notice of the application to such person."

(ii) For sub-section (2), the following sub-section shall be substituted, namely: --

"(2) Any such allowance for the maintenance or interim maintenance and expenses of proceeding shall be payable from the date of the order, or, if so ordered, from the date of the application for maintenance or interim maintenance and expenses of proceeding, as the case may be."

(iii) In sub-sections (3) and (4), for the word "allowance", wherever it occurs, the words "allowance for the maintenance or the interim maintenance and expenses of proceeding, as the case may be," shall be substituted.