

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CrI.Misc.No.M-13083 of 2015

Date of decision : 5.5.2015

Amit Sharma

....Petitioner

Versus

Jyoti

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Rakesh Nehra, Advocate
for the petitioner.

.....

MAHESH GROVER, J.

The petitioner prays for quashing of complaint under Section 125 Cr.P.C. and all consequent proceedings arising therefrom initiated by the respondent-wife.

The plea taken up by the petitioner is that according to the own showing of the respondent herself there was an earlier subsisting marriage of the petitioner, and therefore the second marriage, which ipso facto would be void, would not entitle to her to any maintenance.

On due consideration of the matter, I am of the view that the petitioner is at liberty to take all the pleas before the learned trial court at appropriate stage and in the eventuality of the trial court coming to the conclusion that there was an earlier subsisting marriage, evidently it shall decide such an issue of

maintenance on the basis of settled law.

Petition disposed of.

5.5.2015	(MAHESH GROVER)
dss	JUDGE