

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

Crl. Misc. No.M-20095 of 2013 (O&M)

Date of Decision: 07.04.2015

Manoj

.. Petitioner

Vs.

Geeta Devi

.. Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: - Mr. Sachin Mittal, Advocate
for the petitioner.**

ANITA CHAUDHRY, J.

The petitioner is impugning the judgments passed by the Courts below directing him to pay maintenance amount of Rs.2000/- per month to respondent from the date of filing of the petition under Section 125 Cr.P.C.

I have heard learned counsel for the petitioner and have gone through the paper book carefully.

The relationship between the parties and their separation is not in dispute. The petitioner admittedly runs a barber shop and is an able bodied person. His cruel attitude towards the respondent-wife, forced the latter to stay separately from him. The respondent has no source of income to earn her livelihood. The provisions of Section 125 Cr.P.C. are benevolent one and have been enacted to prevent neglected wife, children or the parents, as the case may be, from the hands of starvation and vagrancy. In that view of the matter, the Courts below rightly fixed the maintenance in favour of the respondent. By dint of the impugned order, only a legal duty, which the petitioner has prima facie failed to oblige, has been imposed. It

cannot be said that the amount of Rs. 2000/- per month is on higher side, especially in the present scenario of high rise in the cost of living. There is no illegality of perversity in the impugned order. The petition is without any merit and is accordingly dismissed.

April 07, 2015
Jiten

(ANITA CHAUDHRY)
JUDGE