

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

**CRM No. 25952 of 2015 in/&
CRM M-18816 of 2015 (O&M)
Date of decision : 17.08.2015**

Chattarbhuja

....Petitioner

V/s

Priyanka & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. KDS Sidhu, Advocate for the petitioner.

RAJAN GUPTA J.

CRM M-18816 of 2015

This is a petition under section 482 Cr.P.C. challenging orders dated 09.10.2014 & 03.03.2015 passed by the courts below under section 125 Cr.P.C whereby petitioner has been directed to pay maintenance of ₹6,000/- per month to respondents.

Learned counsel for the petitioner submits that both the courts below did not consider the controversy in right perspective. According to him, maintenance granted by the courts below is on the higher side. Thus, impugned orders deserve to be quashed.

I have heard learned counsel for the petitioner.

It appears that petitioner and respondent no. 1 got married on 29.11.2009 as per Hindu rites. Sufficient dowry articles were given at the time of marriage. However, after some time respondent no. 1 was subjected to domestic violence and on 04.08.2010 she was turned out of her matrimonial house. On 10.09.2010 one female child was born out of the wedlock. An

application was moved by respondent no. 1 under section 125 Cr.P.C. for grant of maintenance. Both parties led evidence regarding income of the petitioner. Respondents sought ₹40,000/- as maintenance. After considering entire evidence, Judicial Magistrate, Ist Class, Tohana came to the conclusion that petitioner was earning between ₹12,000/- to 13,000/- per month. It, thus, directed him to pay ₹3,000/- each per month as maintenance to respondents. Aggrieved, petitioner preferred revision before the Additional Sessions Judge-I, Fatehabad. Same was, however, dismissed on 03.03.2015.

On perusal of the judgments, I am of the considered view that courts below have correctly granted the maintenance to respondents. Learned counsel for the petitioner has not been able to point out any infirmity with the orders passed. I, thus, find no ground to interfere in inherent jurisdiction of this court. Petition is without any merit and is hereby dismissed.

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As the main petition has been dismissed on merits, no order needs to be passed in this application.

August 17, 2015

Ajay

(RAJAN GUPTA)
JUDGE