

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-2281 of 2015

Date of Decision: January 22, 2015

Dalip Singh

...Petitioner

VERSUS

Mohinder Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Anil Kumar Spehia, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of order dated 24.12.2013 passed by learned Addl. Chief Judicial Magistrate, Jalandhar granting maintenance of ₹1,500/- to the present respondent No.1 and judgment dated 10.12.2014 passed by learned Addl. Sessions Judge, Jalandhar dismissing the revision petition filed by the present petitioner.

At the time of arguments, learned counsel for the petitioner argued only on one point that Mohinder Kaur respondent is not his wife.

I have heard learned counsel for the petitioner and have gone through the record.

From the perusal of the order dated 24.12.2013 passed by learned ACJM, Jalandhar, I find that the Court has discussed the

evidence and relied upon the documents placed on record by Mohinder Kaur as well as her statement, whereas the Court has disbelieved the statement of respondent (present petitioner) as he intentionally denied to identify the photographs etc. The Court has considered the invitation card of marriage of his daughter, voter card, copy of pass book, ration card, copy of employee's fund form and other documents. The Court has also relied upon letter issued by Commandant 80th Battalion, which is Annexure PW1/A in which Mohinder Kaur is shown as wife of present petitioner. The revision has been filed by the petitioner against above-said order and revisional Court also upheld the order passed by learned ACJM, Jalandhar by giving correct finding as per evidence and record as well as, as per law. The present petition under Section 482 Cr.P.C. has been filed in the guise of second revision, which is not permissible as per Section 397(3) Cr.P.C. Nothing has been shown that how the impugned order and judgment passed by the Courts below are illegal or against the statutory provisions or amount to miscarriage of justice.

In view of the above discussion, I find that the impugned order and judgment passed by the Courts below are correct and as per law and do not require any interference from this Court.

Therefore, finding no merit in the present petition, the same is dismissed.

January 22, 2015
Vgulati

(INDERJIT SINGH)
JUDGE