

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM No.M-28281 of 2015****Date of Decision: August 26, 2015**

Deepak Garg

...Petitioner

VERSUS

Priya

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms.Payel Mehta, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for setting aside the judgment dated 10.07.2015 passed by learned Addl. Sessions Judge, Hisar along with all consequential proceedings arising therefrom, vide which order allowing maintenance by learned SDJM, Hansi in a petition under Section 12 of the Protection of Women from Domestic Violence Act, was upheld in revision.

At the time of arguments, learned counsel for the petitioner argued that amount granted as interim maintenance is excessive. It is further argued that respondent-wife remained with the petitioner only for 4 months together.

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

The perusal of the record shows that Priya, wife of the

petitioner filed a petition under Section 12 of the Protection of Women from Domestic Violence Act and learned SDJM, Hansi, vide order dated 19.02.2015 directed the respondent to pay interim maintenance of ₹20,000/- per month. The fact that respondent-wife remained with the petitioner-husband for four months or the parties cohabited only for four months, is no ground to decline the maintenance.

As regarding quantum, I find that as per the order passed by learned SDJM, Hansi, present petitioner was getting salary of ₹85,000/- per month. He being Software Engineer was posted at Noida and it is the case of respondent-wife that he was getting package of ₹30 lacs per annum. It is the case of the petitioner that he has resigned from the job in January 2015.

Keeping in view the fact that petition under Section 12 of the Domestic Violence Act was filed on 07.07.2014 and taking into consideration the salary of the present petitioner, interim maintenance was granted by learned SDJM, Hansi vide order dated 19.02.2015.

In view of the above facts and circumstances of the present case, I find that no illegality has been committed by the Courts below while granting the interim maintenance. There is nothing on the record to show that order passed by learned SDJM, Hansi is perverse. An appeal was filed by the present petitioner and learned Addl. Sessions Judge, Hisar dismissed the appeal vide impugned judgment dated 10.07.2015. Nothing has been pointed out as to how these order and judgment passed by the Courts below are illegal. No ground is made out for setting aside the order and

judgment passed by the Courts below.

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

August 26, 2015
Vgulati

(INDERJIT SINGH)
JUDGE