

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

**Criminal Misc.No.M-31466 of 2014(O&M)
Date of Decision: September 29, 2015**

Kiran Bala & Anr.

...Petitioners

Versus

Devender Sharma

...Respondent

Criminal Misc.No.M-32355 of 2014

Devender Sharma

...Petitioner

Versus

Kiran Bala & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Gaurav Singla, Advocate,
for Mr.Sanjiv Gupta, Advocate,
for Kiran Bala & her minor son.

Mr.I.S.Pabla, Advocate,
for Devender Sharma.

Naresh Kumar Sanghi, J.(Oral)

The present order shall dispose of CRM-M-31466 of 2014 tilted as “Kiran Bala & Ors. vs. Devender Sharma” and CRM-M-32355 of 2014 tilted as “Devender Sharma vs. Kiran Bala and Ors” since both the petitions have been filed against the judgment dated 25.07.2014 passed by learned Additional Sessions Judge, Kurukshetra.

Kiran Bala and her minor son Yash had filed a petition under Section 125, Cr.P.C., before learned Judicial Magistrate

Ist Class, Kurukshetra, claiming maintenance from Devender Sharma. During pendency of the said petition, an application for grant of interim maintenance was also presented. Learned Magistrate granted interim maintenance of ₹4,000/- (Rupees four thousand only) to Kiran Bala and her minor son from the date of filing of the petition till the final adjudication of the main petition. Dissatisfied with the order passed by learned Judicial Magistrate Ist Class, Kurukshetra, both the parties filed criminal revision petitions before learned Additional Sessions Judge, Kurukshetra. Learned Revisional Court while dismissing the petition filed by Devender Sharma, partly allowed the criminal revision petition filed by Kiran Bala and her minor son and enhanced monthly interim maintenance to ₹7,000/- (Rupees seven thousand only). Still dissatisfied with the judgment of learned Additional Sessions Judge both the parties have approached this Court by way of separate petitions filed under Section 482, Cr.P.C., captioned-above.

With the active assistance of their respective advocates, both the parties have agreed that Devender Sharma would pay a sum of ₹6,000/- (Rupees six thousand only) per month as interim maintenance to his wife Kiran Bala and minor son, Yash, from the date filing of the petition before learned Judicial Magistrate Ist Class Kurukshetra. Separate statements

of Davender Sharma and Kiran Bala have been recorded in connected CRM-M-32355 of 2014 in that regard.

In view of the statements suffered by Devender Sharma and Kiran Bala, the present petitions are disposed of with a direction that Devender Sharma shall regularly pay interim maintenance at the rate of ₹6,000/- (Rupees six thousand only) per month from the date of filing of the application before learned Judicial Magistrate Ist Class, Kurukshetra, till the final decision of the petition filed under Section 125, Cr.P.C. The remaining amount, after calculation at the rate of ₹6,000/- (Rupees six thousand only) per month, would be paid to Kiran Bala before learned trial Court within one month of passing of this order.

September 29,2015
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(Naresh Kumar Sanghi)
Judge