

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

**CRM-M No. 32327 of 2015 (O&M)
Date of Decision: 01.10.2015**

Paramjit Kaur @ Karamjit Kaur

..... Petitioner

Versus

Baltej Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Premjit Singh Dhaliwal, Advocate
for the petitioner.

JASWANT SINGH, J. (ORAL)

CRM No. 32393 of 2015

Prayer in the application is for placing on record the photocopies of judgment and decree dated 18.03.2015 as **Annexure P-6** and judgment dated 24.03.2015, passed by the trial Court in complaint No. 162-1 as **Annexure P-7** and seeking exemption from placing on record the certified copies of **Annexures P-6 and P-7**.

For the reasons stated in the application, the same is allowed. The documents (**Annexures P-6 and P-7**) are taken on record subject to all just exceptions.

MAIN CASE

Petitioner-Paramjit Kaur @ Karamjit Kaur has claimed herself to be the wife of respondent-Baltej Singh and is aggrieved against the order dated 10.07.2015 (**Annexure P-5**), passed by learned Additional Sessions Judge, Fazilka, whereby while dismissing the application for interim maintenance, the order dated 12.08.2014 (**Annexure P-4**), passed by learned Additional Civil Judge (Sr. Divn.)-

cum-Sub Divisional Judicial Magistrate, Jalalabad, granting interim maintenance @ Rs. 2,500/- per month has been set aside.

Learned trial Court, during the pendency of the proceedings under Section 125 of Criminal Procedure Code initiated by the petitioner-Paramjit Kaur against defendant/respondent-Baltej Singh, awarded interim maintenance at the rate of Rs. 2,500/- per month. Although respondent-Baltej Singh had vehemently disputed the relationship of husband and wife, the Revisional Court has set aside the order dated 12.08.2014 **(P-4)** by observing that in the light of judgments dated 18.03.2015 and 24.03.2015 **(P-6 and P-7, respectively)**, no *prima facie* case is made out in favour of the petitioner.

I have heard learned counsel for the petitioner at length.

In the considered opinion of this Court, learned Revisional Court has rightly passed the order dated 10.07.2015 **(P-5)** by relying upon the judgment and decree dated 18.03.2015 **(P-6)** passed in civil suit, as also the judgment dated 24.03.2015 **(P-7)**, passed by the trial Court while dismissing the complaint of Paramjit Kaur @ Karamjit Kaur against Baltej Singh for alleged commission of offence under Sections 406 and 498-A of the Indian Penal Code, wherein it has been categorically held that the petitioner-Paramjit Kaur @ Karamjit Kaur has miserably failed to prove that she is legally wedded wife of respondent-Baltej Singh. The Revisional Court has rightly exercise its jurisdiction to correct the illegality committed by the trial Court and the impugned order dated 10.07.2015 **(P-5)** is based on correct appreciation of facts and law on the subject.

In view of the above, no case for interference is made out. The present petition is accordingly dismissed.

October 01, 2015

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(JASWANT SINGH)
JUDGE