

233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.M-4551 of 2014 (O&M)
Date of Decision: February 04, 2015

Shiv Singh Chauhan

.... Petitioner

vs.

Ikadeshi

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vishal Aggarwal, Advocate for the petitioner.

Mr. Mohd. Yousaf, Advocate for the respondent.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

Challenged in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.P.C.'), is the order dated 03.12.2011 (Annexure P-1) passed by learned Judicial Magistrate 1st Class, Ludhiana, and the order dated 21.03.2012 (Annexure P-2) passed by learned Addl. Sessions Judge, Ludhiana, vide which in application under Section 125 Cr.P.C., interim maintenance @ ₹2,500/- per month was allowed to the wife.

Learned counsel for the petitioner has argued that the petitioner has denied the relationship with the respondent-wife. The petitioner had filed an application for DNA test, which was turned down by the trial court vide order dated 22.10.2012. It is stated that it is yet to be decided whether the respondent is the wife of the petitioner.

I am of the view that it is a question of fact. If an application is turned down, the applicant can avail the remedy before the superior court.

In the present case, the petitioner has already availed the remedy of revision before the learned Addl. Sessions Judge, Ludhiana and the present petition, which is a revision against the revision cannot be entertained.

Hence, dismissed.

February 04, 2015
sarita

(KULDIP SINGH)
JUDGE