

CRM-M-5006-2015 (O&M)

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

**CRM-M-5006-2015 (O&M).
Decided on: February 16, 2015.**

Gurmail Singh

..... Petitioner(s)

Versus

Harbans Kaur and another

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Rajiv Joshi, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

A sum of Rs.1,27,106/- being the amount due for about three years under Section 125 Cr.P.C., the petitioner offered sum of Rs.12,000/- i.e., the maintenance for the period of one year.

Relying upon the provisions of Section 125 (3) Cr.P.C., it has been argued by the counsel for the petitioner that for execution, warrants for imprisonment cannot be issued as arrears of one year have been cleared.

Counsel for the petitioner claims that remaining amount due can be recovered by other means but not by issuing arrest warrants.

I have heard the learned counsel for the petitioner.

Counsel for the petitioner has not been able to satisfy this Court as to how the petitioner apprehends arrest at this stage. In case arrest warrants are issued, he may file an application

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for his protection claiming benefit of provision of Section 125 (3) Cr.P.C. The impugned order dated 31.5.2014, does not indicate that any coercive means to recover the amount or arrest have been adopted.

Counsel for the petitioner submits that there is apprehension that warrants will be issued. This petition cannot be entertained on the basis of mere apprehension. The Court has not taken any coercive means for execution by arrest of the petitioner till date.

Dismissed as it has been filed on the basis of apprehension of issuance of arrest warrants.

February 16, 2015.
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(M.M.S. BEDI)
JUDGE