

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

**Crl.R.No.(F) 202 of 2015**

**Date of Decision: 31.8.2015**

**Sanjeev Gupta**

**..Petitioner**

**Vs.**

**Sonia Gupta and others**

**..Respondents**

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. H.S.Rakhra, Advocate for the petitioner.

**JITENDRA CHAUHAN, J.(ORAL)**

This revision has been filed against the order dated 30.7.2015 passed by District Judge, Family Court, Gurgaon vide which the Lower Court on the application filed by respondent No.1 under Section 127 Cr.P.C. has enhanced the amount of maintenance to the respondents.

Learned counsel contends that petitioner is not earning handsome amount from his hardware shop. His monthly income is only ₹10,000/-. He further contends that respondent No.1 is working as a Teacher in a private school and is earning ₹14,151/- per month. He further contends that the impugned order is against law and facts.

Heard.

This Court has perused the impugned order and found that

the petitioner had been visiting abroad in the recent past. He is a business man. The petitioner is duty bound to maintain his wife and his two minor daughters with equal status as now-a-days prices of essential commodities are on the higher side. It has been held in ***Manoj Yadav Vs. Pushpa @ Kiran Yadav 2011(1) RCR (Criminal) 221*** that in the circumstances of husband earning a huge money, to award petty amount to the wife is wholly arbitrary and unconscionable in these days of inflation. Similarly in ***Chaturbhuj Vs. Sita Bai 2008(1) RCR (Criminal) 163***, it has been held that while granting maintenance, the test that the wife should be in a position to maintain standard of living which is neither luxurious nor penurious but what is consistent with the status of husband's family. Therefore, the enhanced maintenance amount is just and reasonable.

Therefore, there is no illegality, infirmity or perversity in the impugned order passed by the Court below and the petition is hereby dismissed.

31.8.2015  
Meenu

(Jitendra Chauhan)  
Judge