

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-20465 of 2016 (O&M)

Date of decision : 15.09.2016

Sampuran Singh

... Petitioner

versus

Gurdev Kaur

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

ANITA CHAUDHRY, J.(ORAL)

CRM-28515-2016

Application is allowed and Annexure P-8 is taken on record.

CRM-M-20465-2016

This petition has been filed under Section 482 Cr.P.C. seeking quashing of the orders passed by both the Courts below.

Admittedly, Gurdev Kaur had filed a petition under Section 125 Cr.P.C. some time in 1995 and maintenance of Rs. 500/- was allowed. Subsequently a petition seeking enhancement was filed whereby the amount was enhanced to Rs. 5000/- per month. The order was challenged and the amount was reduced to Rs. 2500/- but later in a revision the order passed by the Magistrate was restored. The wife filed successive execution petitions as the husband failed to pay the maintenance.

The petitioner is aggrieved of the order dated 19.10.2015 and the order passed in revision whereby his prayer that excess amount had been paid was rejected by both the Courts below.

I have gone through the orders and I see no infirmity in the findings. The Executing Court had all the executions before it, some of them had been consigned as satisfied after payment was made. There was no objection at that time

that any excess payment had been made. It appears that objections are being filed by the petitioner only to delay the proceedings only to harass the wife.

There is no merit in the petition and is dismissed in limine.

September 15, 2016

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(ANITA CHAUDHRY)

JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No