

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

**Crl. Misc. No. M-26890 of 2016
Date of decision : 02.09.2016**

NeelamPetitioner

versus

Vikram ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.P.S. Sandhu, Advocate
for the petitioner

RITU BAHRI, J.

The present petition is directed against order dated 02.04.2016 passed by Court of learned Judicial Magistrate 1st Class Amritsar.

The marriage between the petitioner and respondent was solemnized on 29.05.2013 at Amritsar and thereafter petitioner levelled allegations of demand of dowry and harassment by her in-laws. Petitioner filed petition under Section 3 of the Protection of Women from Domestic Violence Act, 2005 and vide order dated 24.02.2013 (P-1), the interim maintenance @Rs.2500/- per month was granted to the petitioner and in addition to Rs.2500/- per month, husband of the petitioner was also directed to bear all the delivery expenses of the petitioner.

A bare perusal of order dated 02.04.2016 shows that the respondent had already paid Rs.52,200/- in installments of execution of order dated 24.12.2013 and was still ready to make the payment in instalment to the petitioner. Further, Rs.23127/- stands payable by the respondent. The Court below recalled the conditional warrants issued

against the respondent, as the Court has observed that in-spite of conditional warrants having received un-served, the respondent came and showed his willingness to make the payment of Rs.5000/- to the petitioner, which she refused. The Court observed that sending the respondent behind bars would be too harsh a decision and time was given to the respondent to submit his calculations of adjustments, on the next date of hearing positively and also to bring substantial amount of the maintenance, already accrued against him.

The order passed by the Court below does not require any interference by this Court, as it is based on correct appreciation of facts.

The petition stands dismissed.

02.09.2016
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>