

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

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**Criminal Misc. No. M-32334 of 2015
Date of decision: 25th February, 2016**

Subhash Chander

....Petitioner

versus

Prem Lata

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Chander Shekhar, Advocate for the petitioner.

Mr. Kapil Aggarwal, Advocate for the respondent.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 482 Cr.P.C. by petitioner, namely, Subhash Chander for setting aside order dated 02.05.2015 passed by learned Additional Sessions Judge, Kurukshetra (Annexure P-4) vide which the prayer of the petitioner for stay of operation of the judgment passed by learned trial Court under Section 125 Cr.P.C. has been dismissed.

Learned counsel for the respondent has brought to the notice of this Court that the revision petition is pending before the

lower Court and inspite of issuance of non-bailable warrants against the petitioner, he is not appearing before the Executing Court.

Since the revision petition is pending and inspite of its pendency before the lower Court, the present petition has been filed against the order of dismissal passed in the application for stay whereas the petitioner has not paid the arrears of the amount of maintenance so far, no ground is made out to interfere at this stage when revision is pending before the Revisional Court. However, the Revisional Court is directed to make all efforts to conclude/decide the same.

Disposed of accordingly.

February 25, 2016
sonia gugnani

(DAYA CHAUDHARY)
JUDGE