

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

**CRM-M-35174 of 2016**

**Date of Decision: 30.09.2016**

**Prince Jaggi**

**..Petitioner**

**Vs.**

**Simran**

**..Respondents**

**CORAM : HON'BLE MS. JUSTICE RITU BAHRI**

Present : Mr. J.S. Cooner, Advocate for the petitioner.

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**RITU BAHRI, J. (Oral)**

The petitioner has come up in revision against judgment dated 9.9.2016 (Annexure P.1) whereby in revision against the order dated 1.6.2016, the respondent has been awarded a maintenance of ₹5,000/- per month. A perusal of the order shows that the respondent- wife Simran has already been granted interim maintenance of ₹3,000/- per month under Section 24 of the Hindu Marriage Act, 1955. This cannot be a ground to deny her maintenance in the proceedings under Section 125 of the Criminal Procedure Code. The present petitioner is in the business of sale of fishes in the Fish Market, Ambala Cantonment. The respondent has claimed that his income was ₹1.5 lac per month. In the absence of any documentary proof, the income of the petitioner has been taken at par with labourer earning ₹15,000/- per month and ₹5,000/- per month to the wife is not on the higher side. No case for interference with the impugned order and the interim order granting maintenance is made out.

Dismissed.

**September 30, 2016**

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**(RITU BAHRI)  
JUDGE**