

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

**Criminal Misc No.M-6381 of 2016
Date of Decision:- 14.07.2016**

Main Pal

....Petitioner

Versus

Smt. Sangeeta

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Aditya Sanghi, Advocate
for the petitioner.**

RITU BAHRI, J. (Oral)

The present petition is for setting aside/modify order dated 22.12.2015 passed by learned Additional Sessions Judge, Palwal whereby the revision petition filed by the husband/petitioner was dismissed against the order passed by learned Judicial Magistrate Ist Class, Palwal dated 12.06.2015 whereby the learned Magistrate allowed the interim maintenance application of the wife/respondent and granted her Rs.7000/- per month.

Petitioner married with respondent on 26.01.2011. Out of this wedlock, one female child was born but the same passed away. Petitioner and his family members thereafter started harassing the respondent for bringing less dowry. The Court below has granted the interim maintenance of Rs.7000/- to the petitioner after taking into consideration that the petitioner is having a B.A.M.S Degree and thus it was presumed that he must have running a hospital or clinic or doing a join in hospital and his

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income could be around Rs.25000/- to Rs.30,000/- per month.

Learned counsel for the petitioner has argued that there was nothing on record that the petitioner was earning Rs.25000/- to Rs.30000/- per month and thus, the maintenance awarded to the respondent as Rs.7000/- per month is on the higher side.

The argument of learned counsel for the petitioner is liable to be rejected as this is the usual plea of the husband that he is not earning anything and is dependent upon parents.

The Court below has passed the impugned order after appreciating the evidence in the correct prospective and does not require any interference. Accordingly, the instant petition is hereby dismissed as such.

July 14, 2016
G Arora

(RITU BAHRI)
JUDGE