

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

**Criminal Revision No. 2189 of 2016 (O&M)  
Date of Decision:- 29.07.2016**

**Sadhu Ram**

**....Petitioner**

**Versus**

**Saroj**

**....Respondent**

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

**Present: Mr. Abhimanyu Batra, Advocate  
for the petitioner.**

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

Petitioner has filed the present revision petition against the order dated 25.02.2016 passed by the learned Additional Sessions Judge, Jind whereby the appeal filed by the petitioner against the order dated 13.11.2014 passed by learned Chief Judicial Magistrate, Jind has been dismissed.

Petitioner has filed a civil suit for declaration that complainant Saroj (respondent) is not his legally wedded wife. At the same time, complainant Saroj has filed an application for grant for interim monetary relief under Section 12 of the Protection of Women from Domestic Violence Act, 2005 on the ground that she was married with the petitioner on 16.02.1996 as per Hindu Rites and Ceremonies at Jind. After the marriage, they lived together as husband and wife and one son, namely, Kailash was

born out of this wedlock, who was in the custody of the petitioner.

Learned counsel for the petitioner states that his income has been taken ₹50,000/- per month as he was running a Flour Mill at Indira Bazar Jind, which was taken away by the State Bank of Patiala under the SARFESI Act. The petitioner is not in a condition to pay the amount of interim monetary relief to the respondent. So, the impugned orders are liable to be set aside.

After hearing the learned counsel for the petitioner, going through the record, this Court is of the considered view that the learned Chief Judicial Magistrate, Jind has rightly granted the interim monetary relief of ₹3,000/- per month to the respondent (wife), vide order dated 13.11.2014 and the same has been passed after appreciating the evidence in the correct prospective and does not require any interference. Such orders, containing valid reasons, cannot possibly be interfered with by this Court, in exercise of limited revisional jurisdiction of this Court under Section 401 Cr.P.C., unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioner, so, the impugned orders deserves to be and is hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant revision petition is hereby dismissed as such.

July 29, 2016  
naresh.k

( **RITU BAHRI** )  
JUDGE