

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

**Criminal Revision (F) No.327 of 2016  
Date of Decision:- 26.09.2016**

**Pritam Singh**

**....Petitioner**

**Versus**

**Jaswant Kaur**

**....Respondent**

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

**Present: Mr. S.K. Chawla, Advocate  
for the petitioner.**

**\*\*\*\*\***

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

Present revision petition is against the order dated 14.07.2016, passed by the learned District Judge (Family Court) Barnala whereby the petitioner (husband) has been directed to pay maintenance of ₹5,000/- per month from 01.01.2016 to the respondent-wife.

As is evident from the record that the petitioner is a retired constable. He appeared before the Lok Adalat on 22.05.2010 whereby after recording statements, he had agreed to make the payment of maintenance of ₹2,000/- per month to the respondent. Now, after a gap of six years, vide order dated 14.07.2016, the learned District Judge, Family Court, Barnala has allowed the application under Section 127 Cr.P.C., filed by the respondent and direction was given to the petitioner to make the payment of ₹5,000/- per month from 01.01.2016 as per order dated 22.05.2010 of Lok

Learned counsel for the petitioner has argued that he has got premature retirement from his service long back and now he is being paid monthly pension to the tune of ₹13,000/- approx. Moreover, the Court below has not considered the evidence led by the petitioner and wrongly directed him to pay maintenance of ₹5,000/- per month to the respondent. So, the impugned order is 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 District Judge (Family Court) Barnala, has rightly enhanced the maintenance of ₹5,000/- per month to the respondent (wife), vide order dated 14.07.2016 and the same has been passed after appreciating the evidence in the correct prospective and does not require any interference. Such order, 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 order 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.

September 26, 2016  
naresh.k

**( RITU BAHRI )**  
JUDGE

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |