

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-10494 of 2017

Date of Decision: 28.03.2017

Bhupinder Kumar

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Dr. Shekher Dhawan.

Present: Mr. Inderdeep Singh, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition is challenge to the impugned orders dated 2.7.2016, passed by learned Judicial Magistrate Ist Class, Patiala and dated 13.2.2017, passed by learned Additional Sessions Judge, Patiala, whereby interim maintenance allowance at the rate of ₹ 2,500/- per month was awarded to petitioner's wife and another sum of ₹ 1,500/- per month was awarded to his minor child.

Learned counsel for the petitioner contended that infact petitioner is not earning anything; he is out of job and is not in a position to pay interim maintenance.

Having considered the submissions made by learned counsel for the petitioner and perusal of the record, this Court is of the considered view that petitioner, being a young man and otherwise able bodied person, is under legal and moral obligation to earn and maintain his legally wedded wife and minor child and both the Courts below have also observed the

same. There is no illegality in the impugned orders dated 2.7.2016, passed by learned Judicial Magistrate Ist Class, Patiala and dated 13.2.2017, passed by learned Additional Sessions Judge, Patiala.

In view of above, present petition is without any merit and the same stands dismissed.

(Shekher Dhawan)
Judge

March 28, 2017
“DK”

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No