

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

**Crl. Misc. No. M-11142 of 2017
Date of Decision : May 26, 2017**

Ved Parkesh @ Vinay Sharma..... Petitioner

VERSUS

Smt. Divya (Dinesh)..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

1. Whether reporters of local papers may be allowed to see the judgment?
 2. To be referred to the reporters or not?
 3. Whether the judgment should be reported in the digest?
- ...

Present: Mr. Kanwar Satbir Singh, Advocate
for the petitioner.

...

LISA GILL, J. (Oral)

The petitioner seeks quashing of order dated 9.3.2017 whereby it is noted that the petitioner has not appeared therefore he be served through warrants of arrest for 5.4.2017.

The petitioner was directed to pay interim maintenance to the tune of ₹2000/- per month to the respondent-wife vide order dated 7.3.2015 under Section 20 of the Domestic Violence Act, 2005. The said order dated 7.3.2015 is not annexed with this petition. However, it is not denied that order dated 7.3.2015 has not been challenged by the petitioner at any stage.

The respondent-wife moved an application dated 7.3.2017 for payment of

the present petitioner to civil imprisonment has also been moved on the ground that he has not paid arrears of maintenance to the tune of ₹65,000/- and a mere ₹4,000/- was paid on 7.3.2017.

A perusal of order dated 7.3.2017 reveals that the respondent requested for some time to arrange the funds in question.

When the matter was taken up on 9.3.2017 by the learned trial Court it was informed by learned counsel for the petitioner that the petitioner would appear at about 3:00 P.M. The learned trial Court waited till 4:00 P.M. but the petitioner still did not turn up. His counsel informed the trial Court that the petitioner could not be contacted and his mobile phone was also switched off. It is in this situation that order dated 9.3.2017 was passed directing that presence of the petitioner be secured through warrant of arrest for 5.4.2017.

Learned counsel for the petitioner informs that the petitioner has not appeared before the learned trial Court till today and neither has any amount of interim maintenance except ₹4000/- been paid.

In the given facts and circumstances of the case, I do not find any ground whatsoever to interfere in the order dated 9.3.2017 passed by the Additional Chief Judicial Magistrate, Mewat. This is so especially keeping in view the conduct of the present petitioner.

Petition is accordingly dismissed.

26.5.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned :

Yes / No

Whether Reportable:

Yes / No