

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

\* \* \* \* \*

CRM No. M-14685 of 2016 (O&M)

Date of decision : January 13, 2017

\* \* \* \* \*

Tajinder Singh

.....Petitioner

Versus

Kirandeep Kaur and others

.....Respondents

\* \* \* \* \*

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

\* \* \* \* \*

Present: Mr. Rohiteshwar Singh, Advocate for the petitioner.  
None for the respondents.

\* \* \* \* \*

**RITU BAHRI, J.**

The petitioner has filed the present petition against the order dated 22.7.2015 (Annexure P-1) passed by JMIC (Jalandhar) vide which Rs. 4000/- interim monthly maintenance was granted to the respondents and order dated 21.3.2016 (Annexure P-2) passed by the Additional Sessions Judge, Jalandhar vide which the order of the trial Court was modified and the amount of interim monthly maintenance to the respondents was enhanced from Rs.4000/- to Rs.8000/-.

The trial Court while passing the order dated 22.7.2015 has taken into consideration that the petitioner is getting pension of Rs.10,000/- per month. Therefore, monthly amount of Rs.2000 to the wife and Rs.1000/- each to the children was awarded.

A revision was filed by the respondents against the order of the trial Court. The revisional Court has taken into consideration some documents which were placed on record by the applicants/revisionists to show that the petitioner had agricultural land of five acres from which he was getting a lease amount of Rs.2,50,000 per year. As per the

applicants/revisionists, the petitioner was also working as property dealer and his income was not less than Rs.70,000/- per month. Taking into account the above said documents, the maintenance has been enhanced from Rs.4000 per month to Rs.8000/- per month to the respondents. An amount of Rs. 4000/- per month was awarded to the wife and Rs.2000/- per month was awarded to each child from the date of filing the petition.

Counsel for the petitioner has argued that the respondent no.1 is not legally wedded wife of the petitioner and she has married without taking divorce from her first husband. He has retired from BSF and is only getting pension of Rs.10,000 per month as pension. However, at the same time, as per respondent no.1, her marriage with the petitioner was solemnized way back in the year 1998 and in the application, she has specifically stated that he is owner of five acre of agricultural land and has certain fixed deposits in the post office and is doing the work of property dealer. All these facts have been considered by the trial Court while deciding the application for interim maintenance filed under Section 125 Cr.P.C and the revisional Court while deciding the revision filed by the applicants/revisionist against the order of the trial Court. There is no infirmity or irregularity in the orders passed by the Courts below which warrants interference of this Court.

In view of all that has been discussed above, present petition is dismissed.

**13.1.2017***ritu***( RITU BAHRI )  
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes