

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

CRM No.M-23313 of 2015

Date of decision: 03.03.2017

Gurnam Singh

....Petitioner

Versus

Basso and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. R.S. Bagian, Advocate
for Mr. Rahul Rampal, Advocate
for the petitioner.

REKHA MITTAL J. (Oral)

Gurnam Singh, the petitioner husband has invoked inherent jurisdiction of this Court to challenge the orders dated 22.02.2014 (Annexure P1) passed by the Additional Chief Judicial Magistrate, Sri Muktsar Sahib and dated 10.10.2014 (Annexure P2) by the Sessions Judge, Sri Muktsar Sahib whereby application for grant of interim maintenance in proceedings under Section 125 Cr.P.C has been allowed.

On 20.07.2015, case was adjourned to 19.08.2015 as counsel for the petitioner sought time to get instructions from the petitioner whether he is ready to pay arrears of maintenance to his wife and daughter. Later, on 16.09.2015 counsel for the petitioner contended that the parties belong to poor strata of society and there are chances of an amicable settlement if the case is referred to the Mediation and Conciliation Centre of this Court and the petitioner will pay reasonable amount to the respondent – wife towards litigation expenses. Since then, the case has been adjourned on a number of occasions and the

respondents are yet to be served in the matter as their summons were received back with the report that they are not residing at the given address.

In view of the above, the petition stands disposed of but without prejudice to right of the petitioner to raise all available pleas before the trial Court. The petitioner may make a request before the trial Court for referring the parties to the mediation centre. In case any such plea is raised before the trial Court, the Court would examine if there is an element of settlement between the parties and then parties may be referred for mediation.

(REKHA MITTAL)
JUDGE

03.03.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No