

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29198 of 2016
Date of Decision:23.02.2017

Neeraj Kumar

.....Petitioner

Vs.

Anju Sharma and anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Nakul Sharma, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. for quashing the impugned order dated 15.06.2015 (Annexure P-1) passed by learned CJM Ferozepur and order dated 19.05.2016 (Annexure P-2) passed by learned Sessions Judge, Ferozepur, whereby application filed by respondents under 127 Cr.P.C. for enhancement or maintenance allowance has been allowed from Rs.2000/-pm to Rs.3500/-p.m. to respondent No.1 and Rs.1000/- p.m to Rs.3500/- p.m. to respondent No.2 and further revision filed by the petitioner against the order dated 15.06.2015 has been dismissed by the learned Sessions Judge, Ferozepur vide order dated 19.05.2016.

Learned counsel for the petitioner submits that the said orders are patently wrong, illegal, unconstitutional and against the settled principle of law and thus the same are liable to be set aside.

A perusal of the impugned order dated 15.06.2015 shows that respondent No.2 who is daughter of the respondent No.1 was admitted in the school at Pathankot after depositing the admission fees of Rs.28,000/- with monthly fees of Rs.400/- per months. Moreover, respondent No.1-Anju

Sharma is un-employed and she is not able to maintain herself as well as her daughter whereas, petitioner is a BAMS and MD doctor and running his own clinic and his monthly income is not less than Rs.60,000/- per month. Learned revisional Court has also dismissed the revision of the petitioner on the same ground.

In view of the above, the Courts below have rightly enhanced the amount from Rs.2000/-pm to Rs.3500/-p.m. and Rs.1000/- p.m to Rs.3500/- p.m. to respondents No.1 and 2 respectively which is not on the higher side qua the petitioner. This petition is dismissed accordingly.

(RITU BAHRI)
JUDGE

23.02.2017
anil

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