

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

CRM M-38489 of 2016 (O&M)

Date of Decision: 14.12.2017.

Amandeep Kaur

... Petitioner

Versus

Juginder Singh and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Abhimanyu Kalsi, Advocate for
Mr. Rajnikant Upadhyay, Advocate,
for the petitioner.

Mr. BPS Virk, Advocate,
for the respondents.

JITENDRA CHAUHAN.J.

This is a petition under Section 482 Cr.P.C for modification of the judgment dated 30.01.2016, passed by Additional Sessions Judge, Sangrur vide which the appeal filed by the petitioner against the judgment dated 12.11.2014 passed by Sub Divisional Judicial Magistrate, Sunam granting her maintenance to the tune of Rs.1500/- per month in a complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 was dismissed.

It is contended by the learned counsel for the petitioner/wife that the amount of Rs.1500/- per month is on the lower side keeping in view the price index prevailing as on date. It is further contended that the respondent owns sufficient agricultural land. The Government of Punjab has fixed Rs.7210/- per month as minimum wages for unskilled labourer.

On the other hand, the learned counsel for the respondent/husband submits that even the amount of Rs.1500/- per month as maintenance is on the higher side. The petitioner does not have any regular income.

Heard.

A perusal of the impugned judgment shows that the income of the respondent has not been proved on record. Considering the fact that the respondent is an able bodied person, the trial Court assessed the income of the respondent as Rs.5000/- per month and out of that, Rs.1500/- per month were awarded as maintenance to the wife. This Court feels that the amount of Rs.1500/- is on the lower side as the petitioner has to meet the daily expenses, expenses for medicines, clothes etc. Accordingly, the amount of maintenance is enhanced from Rs.1500/- to Rs.2000/- per month.

Consequently, the petition is partly allowed. The petitioner shall be entitled to receive maintenance @ Rs.2000/- per month from the date of filing the present petition.

Disposed of accordingly.

14.12.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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