

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

CRM-M No. 8116 of 2017(O&M)

Date of decision: 29.3.2017

Sangita @ Pooja

....Petitioner

VERSUS

Rakesh Sharma

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. M.S. Randhawa, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against orders dated 14.12.2016 (Annexure P-1) passed by the Court in revision and dated 22.03.2016 (Annexure P-3) by the trial Court whereby the application for grant of interim maintenance under Section 125 of the Code of Criminal Procedure, 1973 (in short 'Cr.P.C.') filed by the petitioner-wife has been dismissed primarily on the ground that the petitioner left the matrimonial home without any reason or cause.

As the Courts below have recorded consistent findings against the petitioner and the matter would finally be decided on the basis of evidence to be adduced by the parties, this Court does not want to express any opinion in the matter in exercise of jurisdiction under Section 482 Cr.P.C. lest it may cause prejudice to either of the parties at the time of final adjudication of the case. That being so, the present petition stands disposed of with a direction to the trial Court to decide the matter finally but expeditiously preferably within a period of six months but subject to

the condition that the petitioner closes her evidence within a period of two months by availing three effective opportunities. Any observations made by the Courts below denying maintenance to the petitioner would not cause prejudice to her rights at the time of final disposal of the case.

MARCH 29, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no