

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

COCP 296/2018

Date of decision:30.01.2018

Geeta

.....Petitioner

v.

Sarav Shakti Sharma

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr. Ajay Aggarwal, Advocate for the petitioner

Jaswant Singh,J,(Oral).

Petitioner wife has filed a maintenance petition under Section 125 Cr.PC before the competent Court at Chandigarh. Respondent husband filed Crl.M-M 7227/2016 seeking transfer of the aforesaid complaint from Chandigarh to Gurdaspur. The said petition was disposed of vide order dated 31.5.2017 in terms of a settlement. The present contempt has been filed with the allegations that the respondent husband after the initial payment of Rs. 1 lac at the time of recording of statement at the first motion in the petitioner under Section 13-B of the Hindu Marriage Act for grant of decree of divorce by mutual consent has not deposited the next installment of Rs.2 lacs and therefore committed contempt of the order dated 31.5.2017.

After hearing counsel for the petitioner, invocation of contempt jurisdiction is not warranted.

It is conceded that complaint/maintenance petition under Section 125 Cr.PC initiated by the wife is continuing at Chandigarh. It is

also conceded that no statement at the second motion has been recorded for grant of decree of divorce by mutual consent as the same has been got adjourned to August 2018. The wife would be free to resile from recording her statement at the second motion for any violation of the terms of settlement. Therefore,no prejudice has been caused to the petitioner wife.

Dismissed.

30.01.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No