

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-15864 of 2018
Date of Decision: 19.4.2018**

Gurjeet Bajaj

.....Petitioner

Versus

Rishi Dua

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.S.Nara, Advocate
for the petitioner.

ANITA CHAUDHRY, J

This petition has been filed under Section 482 Cr.P.C. assailing the orders of the Courts below vide which the maintenance has been denied to her.

The parties were married in 2008. The wife is a Computer Engineer and was employed with Bharti AXA Life Insurance Company. It was claimed that the husband was a Mechanical Engineer but was running a gas agency. The petitioner claimed that she was no longer working. The parties were called upon to lead evidence. The petitioner could not lead any evidence to show that the husband had a gas agency or had any income. The petitioner in her cross-examination admitted that she was still working in Aviva Insurance Company and was getting salary of Rs. 40,000/- per month. She could not lead any evidence to show that the husband was earning or had income of Rs. 1.50 lacs per month. The income of the respondent was considered to be Rs. 9,000/- per month. The Courts below held that the income available with the petitioner was sufficient for herself

and the petition as well as the revision was dismissed.

I have heard the counsel for the petitioner at great length and I find no merit in the petition.

The petitioner is self sufficient and is getting salary of Rs. 40,000/- per month. She was unable to even show now that the respondent had the income which was much higher as was claimed. An oral statement was made without calling for any evidence. The petitioner could have summoned the record of the Gas Agency and it could have brought out the true facts. Since there was no evidence, the petition under Section 125 Cr.P.C. was rightly dismissed.

The petition is dismissed in *limine*. The orders passed by both the Courts below are upheld.

(ANITA CHAUDHRY)
JUDGE

April 19, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No