

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

CRM-M-22361-2018 (O&M)

Date of Decision: 24.05.2018

Birjesh Kumar Verma

...Petitioner

Versus

Puneeta Soni

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Surinder Gandhi, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for seeking direction to be issued to the District Judge (Family Court) Faridabad to record the preliminary evidence of the petitioner in the Misc. complaint No. 16 dated 07.04.2017 pending before it on 25.05.2018.

Learned counsel for the petitioner herein contends that an application under Section 340 Cr.P.C., read with Sections 191,192,193,195,196,199,299 and 420 has been filed, which is pending against the respondent Puneeta Soni. It is submitted that respondent-Puneeta Soni had filed an application under Section 125 Cr.P.C. seeking maintenance along with an affidavit dated 12.07.2016 stating that she is unemployed and has no source of income whereas this fact is incorrect since she is working with M/s Accenture Service Private Limited, Gurgaon.

Learned counsel for the petitioner further contends that the application under Section 340 Cr.P.C. is being continuously adjourned and no further proceedings are being taken thereunder. The limited prayer made in the instant petition is for evidence to be recorded on the next date so fixed.

I have heard learned counsel for the petitioner and perused the zimni orders passed in the application filed u/S 340 Cr.P.C., a perusal of which would reflect that the case had been adjourned on request made on behalf of the applicant. Even so, it would be in the interest of all parties concerned in case the trial Court records the preliminary evidence of the petitioner herein on the date so fixed i.e. 25.05.2018 and if not possible, then positively on the next date so fixed.

Disposed of accordingly with the aforesaid direction.

May 24, 2018

seema

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No