

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

Crl. Misc. M-35274 of 2017 (O&M)
Date of Decision: May 02, 2018

Anuj Chander Sethi

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rohit Dheer, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for quashing the application for maintenance filed under Section 125 Cr.P.C. by respondent No.2, on the ground that respondent No.2 herein is working and earning monthly salary of ₹ 1,00,000/- per month and above. In fact, the petitioner herein has already filed an application for dismissal of the petition under Section 125 Cr.P.C. which is still pending before the District Judge, Family Court, Gurugram.

I have heard learned counsel for the petitioner and not inclined to interfere at the present moment. The defence of the petitioner herein was struck off by an order dated 18.02.2017 by the trial court, which order has not been challenged to date. Instead thereof, the petitioner has preferred an application for dismissal of the petition under Section 125 Cr.P.C., which is

still pending.

In view of the above, this matter is disposed of with the direction to the trial court to decide the application filed by the petitioner for dismissal of the petition under Section 125 Cr.P.C. and in case, an application to have the order dated 18.02.2017, by which his defence has been struck off is filed, the same be decided expeditiously.

May 02, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No