

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

CRR(F)-5-2017(O&M)

Date of decision:-10.9.2018

Smt.Anju Garg and another

...Petitioners

Versus

Deepak Kumar Garg

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Kulbhushan Sharma, Advocate
for the petitioners.

H.S. MADAAN, J.

On an application under Section 125 Cr.P.C. having been filed by Smt.Anju Garg, estranged wife, Ms.Megha Garg, aged 19 years – daughter, Master Rachit Garg aged about 13 years – minor son of Deepak Kumar Garg – respondent against him, learned District Judge, Family Court-I, Faridabad vide judgment dated 9.12.2016 dismissed the petition qua petitioners No.1 and 2, whereas allowing it with regard to petitioner No.3 granting him maintenance @ Rs.6,000/- per month till he attained

the age of 18 years.

Feeling aggrieved, the petitioners have filed the present revision petition praying that the same be accepted, the impugned judgment passed by the District Judge, Family Court-I, Faridabad be modified and the maintenance @ Rs.50,000/- per month be awarded to the petitioners.

I have heard learned counsel for the petitioners besides going through the record.

Learned trial Court on the basis of evidence adduced by the parties in light of the facts and circumstances of the case has observed that petitioner No.1 has failed to prove that she was turned out of the matrimonial home for demand of dowry amounting to cruelty, as such her claim of maintenance was rejected. As far as claim of petitioner No.2, who is married daughter of respondent and petitioner No.1, she was also not found entitled to maintenance allowance having attained majority and getting married. As regards petitioner No.3 Master Rachit Garg though the respondent had claimed that he is not his biological son but then the trial Court observed that the respondent is liable to maintain him. Considering the age of petitioner No.1 at that time to be 17 years, school fee receipts, transportation charges, he was found entitled to Rs.6,000/- per month from the respondent till he attained the age of 18 years.

The law is well settled that the revisional jurisdiction of this Court is quite limited. This Court is to interfere only if there is an illegality or infirmity apparent on the face of the judgment/order passed by a Court below or the same is perverse and not otherwise.

In the present case, I do not find any such illegality or infirmity with the impugned judgment much less apparent on the face of it. The judgment is certainly not in violation of settled principles of criminal jurisprudence. I do not see any reason to upset the impugned judgment.

Finding no merit in the revision petition, the same stands dismissed.

10.9.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No