

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision (F) No. 109 of 2018 (O&M)
Date of Decision: 16.7.2018

Ajay Kumar

.....Petitioner

Versus

Rekha Yadav

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sunil Kumar Bhardwaj, Advocate
for the petitioner.

ANITA CHAUDHRY, J

CRM-9016-2018

Application is allowed for the reasons stated therein.

Delay of 670 days in filing the revision is condoned.

CRR(F)-109-2018

The petitioner has assailed an order which was a consent order. The statement of the petitioner was recorded on oath. The Family Court, Gurgaon made an order directing the petitioner to pay maintenance of Rs. 8,000/- per month from the date of filing of the petition.

The submission on behalf of the petitioner is that subsequently a divorce decree was passed and therefore he was not entitled to pay any maintenance.

The submission has no force as even the divorced wife is entitled to maintenance. The restriction in Section 125 (4) Cr.P.C. is only

wife was living in adultery but no finding in his favour was given.

There is no merit in the petition. The petition is dismissed in *limine*.

(ANITA CHAUDHRY)
JUDGE

July 16, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No