

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

CRR(F)-378-2018

Date of decision:-2.8.2018

Rajeev and others

...Petitioners

Versus

Smt.Latesh

...Respondent

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

Present: Mr.Pankaj Bali, Advocate
for the petitioners.

H.S. MADAAN, J.

The complainant Smt. Latesh wife of Rajeev had brought a complaint under Sections 12, 17, 18, 19, 20, 22 of the Protection of Women from Domestic Violence Act, 2005. On getting notice, the respondents appeared and filed written reply controverting the assertions in the petition. The trial Court had called for domestic incident report, which was duly submitted by the Protection Officer stating that there was a dispute between the complainant and respondents for a long time and

both the parties could not adjust with each other due to temperamental differences. The parties were allowed to lead evidence. After hearing arguments, the trial Court passed the impugned order. Following reliefs were granted to the complainant:

- 1. The respondents shall not commit any act of domestic violence as defined in section 3 of the Domestic Violence Act against the complainant.*
- 2. The respondent shall allow the complainant to reside in the shared house hold or in lieu of that to pay to the complainant an amount of Rs.3,000/- per month or provide the suitable residence for the complainant as well as for his daughter.*

The respondents had challenged that order by way of filing appeal to the Court of Sessions, which was assigned to learned Additional Sessions Judge, Rohtak, who vide judgment dated 16.5.2018 dismissed the appeal. It was observed that petitioner would not be in a position to stay with the respondent No.1, because the parties are at loggerheads with each other since long, therefore the order of Judicial Magistrate Ist Class, Rohtak deserves to be modified and rent of Rs.3,000/- per month be provided to the petitioner and her daughter for their stay instead of directing the petitioner stay in the shared household and the respondents were directed to pay the rent accordingly to the petitioner for her residence as well as residence of her daughter. In that way the appeal was dismissed.

Now the respondents are before this Court by way of filing the present revision petition.

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

I find that 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 orders much less apparent on the face of those. The orders are certainly not in violation of settled principles of criminal jurisprudence. I do not see any reason to upset the impugned orders.

Therefore, the revision petition is dismissed.

2.8.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No