

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR(F)-421 of 2018 (O&M)

Date of decision : October 31, 2018

Vijaypal

....Petitioner

versus

Smt. Ram Kala

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Balraj Gujjar, Advocate, for the petitioner

Fateh Deep Singh, J. (Oral)

Through this instant invocation by way of revision under Section 401 of the Code of Criminal Procedure, the petitioner husband Vijaypal has sought to challenge impugned orders dated 23.7.2018 of the court of learned District Judge, Family Court, Bhiwani whereby an application under Section 127 of the Cr.P.C. stood allowed and the maintenance granted to the respondent wife was enhanced from Rs 3000/- per month to Rs 5000/- per month.

Upon hearing Sh. Balraj Gujjar, learned counsel for the petitioner and after going through the records.

The wife had initially preferred application under Section 125 of the Code of Criminal Procedure and vide orders dated

3.8.2013 she was granted maintenance to the tune of Rs 3000/- per month. It is after almost two years on 14.7.2015, the present application under Section 127 Cr.P.C. for enhancement of the same has come about whereby the court below had enhanced the maintenance from Rs 3000/- per month to Rs 5000/- per month from the date of decision on the application. It could not be displaced by the counsel for the petitioner that within this period of two years and henceforth for three years till date there has been astronomical increase in the cost of living. Prices of essential commodities, residence rentals and day to day needs of humans have seen an upsurge in their prices and it is not put to question that the respondent-husband is an ITI pass and carrying on private duties earning Rs 25,000/- per month and as has been observed by the court below is earning more than Rs 2 lacs from his agricultural land. Thus such a finding does not appears to be in any manner illegal in its outlook or perverse in its approach and rather has justified the burden which the economy has placed on its citizens. This Court does not finds any need to show indulgence. The petition as such needs and is dismissed in limine.

October 31, 2018

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No