

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

CRR(F) No.489 of 2018 (O&M)

Date of Decision: December 04, 2018

Krishan

...Petitioner

Versus

Vighnesh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.K. Hooda, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

1. This is a criminal revision that has been filed against the order dated 06.08.2018 passed by the Principal Judge, Family Court, Rohtak whereby, interim maintenance @ ₹ 8000/- per month has been allowed to the respondent-minor child.
2. Notice of motion was issued in the matter, pursuant to which Mr. Amit Rao, Advocate puts in appearance on behalf of the respondent and files the power of attorney, which is taken on record.
3. Learned counsel appearing on behalf of the petitioner argues that the impugned order granting interim maintenance @ ₹ 8000/- per month to the respondent-minor child is not sustainable, as the same is on the higher side, keeping in view the fact that mother of the respondent is also working and earning more than ₹ 65,000/- per month and having no other

responsibility whereas, the petitioner is having the responsibility of old parents and younger un-employed brothers.

4. Per contra, learned counsel for the respondents-applicant argues that the order passed by the trial court is well reasoned and no ground is made out to interfere with the same.

5. I have heard learned counsel for the parties and have also gone through the pleadings of the case.

6. A marriage was solemnized between the petitioner herein and Anita Nara on 20.04.2014, out of which wedlock the respondent herein was born on 20.10.2016. The said marriage did not survive the test of time and resulted in registration of an FIR under Sections 406, 498-A of Indian Penal Code against the petitioner herein and his family members. The respondent-applicant herein initiated the present proceedings under Section 125 Cr.P.C. against the petitioner-father seeking maintenance.

7. The trial court, while taking note of the fact that the petitioner herein has received a salary of ₹ 5,30,559/- for the financial year 2015-16, had directed the petitioner herein to pay maintenance @ ₹ 8000/- per month.

8. Under the facts and circumstances of the present case and keeping in view the age of the respondent-minor child and the fact that mother of the respondent-minor child is also working, the impugned order is being modified to the extent that the petitioner herein would continue to pay the interim maintenance to the respondent-minor child @ ₹ 6000/- per month. He would also continue to deposit the remaining amount of ₹ 2000/- with the trial court, which would be adjusted/paid to the minor child, at the time of final disposal of the case by the trial court.

9. The criminal revision stands disposed of accordingly.

December 04, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No