

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision (F) No. 575 of 2018 (O&M)
Date of decision : November 16, 2018

Nakul Saxena

....Petitioner

versus

Shivani Saxena and another

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. A.S.Lamba, Advocate, for the petitioner

Fateh Deep Singh, J. (Oral)

The petitioner husband through this invocation by way of criminal revision preferred under Section 401 of the Code of Criminal Procedure has sought to challenge findings dated 14.8.2018 of the court of Principal District Judge, Family Court, Hisar whereby the court below had while disposing off an application under Section 127 of the Cr.P.C. seeking enhancement allowance by the petitioner's wife Shivani Saxena and minor son Madhav and enhanced the same from Rs 60,000/- per month for both the petitioners to Rs 1,00,000/- per month.

Appreciating the arguments of the counsel for the petitioner it is the admitted stand and is reflected from the impugned orders that the

husband-petitioner is working as an Executive Vice President in Kotak Mahindra Bank Ltd. and as per salary certificate Annexure R3 placed by the respondent on his own shows his gross salary to be Rs 4,45,086/- per month. It is settled position of law that the wife and minor children are entitled to life and style commensurate with that of the husband and father respectively. Maintenance allowance under Section 125 Cr.P.C. was allowed way back in the year 2013 and thus after more than five years, keeping in view the astronomical increase in the price index such a jump in the costs of necessities of life especially the education of the child have become imperative. The counsel for the petitioner could not convince this Court how or in what manner there is illegality or perversity in the impugned orders of the trial court. The revision petition being devoid of any merit stands dismissed in limine.

November 16, 2018
'tiwana'

(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>