

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision (F) No. 585 of 2018 (O&M)
Date of decision : November 20, 2018

Baljinder Kaur

....Petitioner

versus

Gurmeet Singh

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Sumeet Puri, Advocate, for the petitioner

Fateh Deep Singh, J. (Oral)

The petitioner wife has challenged judgment dated 12.10.2018 of the court of learned Additional Sessions Judge, Sangrur whereby the appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005 (in short, the Act) filed by the present petitioner, then appellant, has been dismissed. In the process the court below has upheld the orders dated 5.9.2017 of the court of learned Judicial Magistrate Ist Class, Sangrur, in the application under Section 12 of the Act holding out that the applicant-wife was entitled to maintenance at the rate of Rs 1500/- per month and Rs 500/- per month for alternate accommodation.

Upon hearing Mr. Sumeet Puri, counsel for the petitioner, it is

the admitted stand of the parties before the courts below that respondent-husband Gurmeet Singh is working as Constable in Central Reserve Police Force (in short, CRPF) and the couple out of this wedlock has four children who are living with the husband. The courts below have taken note of the fact that the husband is keeping all the four children with him and thus, maintaining them inspite of the fact that he is posted in remote areas in discharge of his official duty and therefore, must be spending money on the upkeep of his four children. Keeping in view the salary of a Constable in the Force, the fact that he is posted at various stations throughout the country, the fact that he is maintaining his four minor children out of this wedlock as well as his family comprising of his aged father and mother, to the mind of this Court in such a situation grant of Rs 1500/- per month as maintenance and Rs 500/- as rental charges does not bears to be in any manner illegal or perverse necessitating intervention by this Court. The revision petition certainly does not necessitates interference by this Court as the counsel for the petitioner could not pin point any illegality or perversity in these findings. The same being devoid of any merit stands dismissed in limine.

November 20, 2018**'tiwana'****(Fateh Deep Singh)
Judge***Whether speaking/reasoned ?
Whether Reportable ?**Yes/No
Yes/No*