

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

**CRM M-1018-2019 (O&M)
Date of Decision : 16.01.2019**

Gobind Ram

..... Petitioner

Versus

Smt. Bhundi Devi and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Mohit Aneja, Advocate for the petitioner.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioner has preferred the instant petition under Section 482 Cr.P.C. for quashing/setting aside of order dated 05.11.2018, passed by the Addl. Sessions Judge, Panipat in Criminal Revision No.109 dated 19.07.2018, vide which the order dated 15.06.2018, passed by the Judicial magistrate Ist Class, Panipat is partly reversed and the petitioner is directed to pay interim maintenance @ Rs. 4,000/- to his octarian mother Smt. Bhundi Devi-respondent No.1.

The facts are in narrow compass. Smt. Bhundi Devi-respondent No.1, who is mother of petitioner, is above 80 years of age. Infact, the land owned by her husband Sh. Mange Ram was mutated in the name of Gobind Ram on the basis of will. Even the progeny of deceased, son of Mange Ram, had not been given the share out of the estate left by Mange Ram. Initially, an application under Section 125 Cr.P.C. filed by respondent No.1 was dismissed by the learned Judicial Magistrate Is Class, vide order dated 15.06.2018. However, the revisional court reverse that order by holding that she has no movable or immovable property and she is unable to maintain herself whereas the petitioner has sufficient land and he

is liable to pay Rs.4,000/- per month from the date of application.

I have heard learned counsel for the petitioner and have gone through the material available on record.

It is prima facie made out that respondent No.1 is in the evening of her life being more than 80 years of age. She is unable to maintain herself. She is required maintenance for the purpose of medical expenses and to meet both ends.

In view of aforesaid, this court is of the opinion that amount of Rs.4,000/- is highly meagre and the impugned order passed by the revisional court does not suffer from any illegality, infirmity or irregularity and the same does not call for any interference and is hereby affirmed.

Therefore, the instant revision petition being devoid of any merit is hereby dismissed.

16.01.2019

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**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No