

102

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

CR No. 2652 of 2018

Date of Decision: 14.01.2019

Kuldeep Kaur and another

-Petitioners

Vs

Jaswinder Kumar

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gourave Bhayya Gilhotra, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (ORAL)

At the very outset, learned counsel for the petitioners submits that this petition may be treated under Article 227 of the Constitution of India read with Section 482 Cr.P.C.

Only grievance of the petitioners is that in the proceedings under Section 125 Cr.P.C. filed by the petitioners, respondent has already been proceeded against exparte vide order dated 04.11.2015 and he has gone abroad after due service of process of the Court.

The Judicial Magistrate Ist Class, Jalandhar vide order dated 17.05.2016 has already awarded an amount of Rs.4000/- per month to petitioner No.1 and an amount of Rs.2000/- per month to petitioner No.2 along with litigation expenses of Rs.5000/-.

Execution of aforesaid order is pending before the Judicial Magistrate Ist Class, Jalandhar for a considerable time where execution of conditional warrants of arrest of the respondent have also been issued.

Petitioners seek early disposal of pending execution before the Judicial Magistrate Ist Class, Jalandhar as sustenance of the petitioners without payment of maintenance is not possible.

Looking to the facts of the case, I deem it appropriate to direct the Judicial Magistrate Ist Class, Jalandhar to make every positive endeavor to decide the pending execution at the earliest preferably within a period of four months from the date of receipt of certified copy of this order.

Disposed of.

14.01.2019

Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No