

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

**CRM M-21139-2018 (O&M)
Date of Decision : 29.05.2019**

Harpreet Singh Uppal

..... Petitioner

Versus

Deepinder Kaur

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Ashu M.Punchhi, Advocate with
Mr. Anupam Bansal, Advocate
for the petitioner.

Mr. S.P.S.Sidhu, Advocate
for the respondent.

RAJ SHEKHAR ATTRI, J. (Oral)

Petitioner Harpreet Singh Uppal has preferred the instant petition under Section 482 Cr.P.C. for setting aside the order dated 16.04.2018 (Annexure P-5), passed by the learned Addl. Chief Judicial Magistrate, SAS Nagar (Mohali), in application No.48 dated 07.07.2017, for maintenance under Section 125 Cr.P.C., vide which respondent-wife has been granted interim maintenance at the rate of Rs.60,000/- per month.

I have heard learned counsel for the parties and have gone through the record.

The fact of the marriage of petitioner with respondent is not in dispute.

Learned counsel for the petitioner has submitted that the respondent-wife is well educated and running a school. He has placed on

record certain documents.

Learned counsel for respondent has denied the said documents and has categorically stated that the respondent has no source of income.

During the course of arguments, it has been admitted that the petitioner owns 40 acres of land and other immovable property.

Apart from it, the case is at the preliminary stage. The parties have to adduce evidence. In case, it is found that the petitioner-husband has higher income, maintenance amount can be enhanced and if it is found that he has lessor income then it can be reduced as per the circumstances of the case.

In view of aforesaid discussion, this court is of the opinion that the maintenance amount awarded to the respondents is not exorbitant, rather it is appropriate as per the circumstances of the case. As such, the impugned order does not suffer from any illegality, irregularity or infirmity and the same does not call for any interference and is hereby affirmed.

Therefore, finding no merit in the instant petition, the same is dismissed.

29.05.2019

mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No