

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

**CRR-1010-2019 (O&M)
Date of Decision: 15.5.2019**

Major Ram and another

.....PETITIONER(s).

VERSUS

Gurdeep Kaur and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vikram Bali, Advocate
for the petitioners.

RAJ SHEKHAR ATTRI, J. (Oral)

The present revision petition is directed against the order dated 9.4.2019 passed by learned Additional Sessions Judge, Kapurthala affirming the judgment dated 7.9.2018 passed by learned Sub Divisional Judicial Magistrate, Phagwara.

The facts of the case lies in a narrow compass. The son of the petitioners namely Jagtar Ram was married to Ms. Gurdeep Kaur on 17.2.2012. Thereafter, Jagtar Ram left for abroad but he did not disclose his address to his wife nor provided her maintenance. As such, she moved a petition under Section 12(1) of Protection of Women from Domestic Violence Act and for grant of relief under Sections 18, 19, 20 and 22 of the Act.

Learned Sub Divisional Judicial Magistrate, Phagwara while

disposing of made the following observations : -

“13. In view of the above finding, present complaint is disposed off with order that all respondents are restrained from committing any act of domestic violence with complainant. Further, respondent No.1 is hereby directed to pay ₹ 10,000/- per month to complainant as maintenance as well as monetary relief from the date of filing of the present complaint i.e. 12.12.2017. Further respondents are directed to provide one room for the residence of the complainant within 15 days and respondent No.1 is hereby restrained from alienating the matrimonial house. Unexhibited documents and unmarked documents are directed to return as per rules. Any miscellaneous application, if pending is disposed off being not pressed. File be consigned to the record room, Phagwara.”

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

The petitioners have agitated the directions issued by learned Magistrate vide which the petitioners have been directed to provide her one room accommodation.

Reliance has been placed upon the judgment of this Court in **Sardara Ram and another v. Paramjit Kaur and another**; RSA No.2669 of 2013 decided on 21.8.2017.

The husband has left for abroad leaving his wife in the house of his parents. Subsequently, the parents (petitioners) had disowned their

son and refused to maintain the daughter-in-law. She has no other source of income and no place to stay. In these peculiar circumstances of the case, this Court is of the view that the impugned order does not suffer from any illegality, irregularity and infirmity. However, the facts in case *Sardara Lal's* case (supra) are distinguishable.

So far as another application filed under Section 391 Cr.P.C. is concerned, those documents were in knowledge and in possession of the petitioners but they did not adduce the same. No case is made out for grant of opportunity for additional evidence. The same also stands dismissed.

As a result of the above discussion, this revision petition is devoid of any merit and the same is hereby dismissed.

May 15, 2019
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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