

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

**CRM-M-18839-2019 (O&M)
Date of Decision: 29.4.2019**

Shiv Kumar

.....PETITIONER(s).

VERSUS

Shikha Rani

.....RESPONDENT(s).

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

Present: Mr. Anuj Garg, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J. (Oral)

This is a petition under Section 482 of the Code of Criminal Procedure not to take coercive steps against the petitioner during the pendency of the stay application filed for stay of recovery of maintenance awarded to the respondent wife.

Vide order dated 7.3.2019 passed by learned Judicial Magistrate, 1st Class, Jagadhri, the petitioner was directed to pay a sum of ₹ 8,000/- as interim maintenance.

Heard.

Instead of making the payment of ₹ 8,000/-, he preferred an appeal before the learned Sessions Court which is pending. It has been argued that the petitioner has moved an application for staying the recovery of interim maintenance. Said application is also stated to be

pending.

It is the paramount duty of the petitioner to obey the orders of the courts below and pay maintenance to the wife. Instead of making the payment, the present petition has been filed. Another petition bearing CRM-M-18230-2018 has been filed with regard to dishonour of the cheque which was handed over to the wife with regard to settlement. Said petition is also pending.

No case is made out to stay the proceedings before the appellate court.

Dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

April 29 , 2019
Paritosh Kumar

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