

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

CRM-M-41174 of 2016.

Decided on:- July 25, 2019.

Dhirpal.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Abhimanyu Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

Mr. Chanderhas Yadav, Advocate
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Pursuant to the order dated 11.07.2019 passed by this Court, the petitioner has handed over a bank draft of Rs.2.5 lakh in the name of respondent No.2 Sunita towards the outstanding maintenance amount including the residence of respondent No.2 in terms of the judgment dated 18.07.2008 passed by learned Judicial Magistrate 1st Class, Jhajjar.

Vide judgment dated 18.07.2008, learned Magistrate had allowed the petition under Sections 18, 19, 20, 21 and 22 of the Protection of Women from Domestic Violence Act, 2005 filed by respondent No.2. Since the respondent was residing separately and was unable to maintain herself, petitioner Dhirpal was directed to pay Rs.2,000/- per month to respondent

No.2 so as to maintain a residence by her. Similarly, respondent No.2 and her son were not able to maintain themselves, another amount of Rs.2,000/- per month was awarded towards maintenance, making it clear that this amount awarded under the Domestic Violence Act will be separate and in addition to any maintenance amount either awarded under Section 125 Cr.PC or under any other Act.

At this stage, learned counsel for the petitioner states that he be permitted to withdraw the present petition as the very controversy regarding the validity of marriage is pending consideration before this Court in *FAO-M-290 of 2010* titled as *Sunita Versus Dhirpal*.

Without observing anything on the merits of the case, the petitioner is permitted to withdraw the present petition.

Dismissed as withdrawn.

July 25, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No