

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

**CRM-M-21519-2019 (O&M)
Date of Decision: 13.5.2019**

Manish Kumar Singh

.....PETITIONER(s).

VERSUS

Smt. Atithi

.....RESPONDENT(s).

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

Present: Mr. Surinder Gandhi, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J. (Oral)

This is a petition under Section 482 of the Code of Criminal procedure for modification of order dated 19.4.2019 passed by learned Additional Sessions Judge, Palwal (Annexure P-5) to the extent that the grant of interim maintenance be stayed during the pendency of the appeal pending before the said Court.

Briefly stated, on an application filed by the respondent wife, interim maintenance was awarded by learned Magistrate @ ₹ 20,000/- per month plus ₹ 5000/- towards rental accommodation totaling ₹ 25,000/-. The petitioner challenged the said order by filing an appeal which is still pending before the appellate court.

However, in the said petition, learned appellate court has stayed 50% of the accrued maintenance allowance. Instead of complying with the said order, the petitioner moved the present petition.

Heard.

The petitioner has also filed CRM-M-20013-2019, CRM-M-24742-2018 and CRM-M-38391-2017 against the respondent wife which are also stated to be pending. In case any amount is paid in pursuance of the order passed by learned Appellate Court, that shall be subject to the final verdict. No interference is required by this Court in the impugned order.

Reliance has been placed on the judgments of Delhi High Court in **Sabina Sahdev and others v. Vidur Sahdev**; 2018 (4) RCR (Criminal) 30 but it has of no help to the petitioner.

Dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

May 13, 2019
Paritosh Kumar

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