

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

CRR (F) No.354 of 2019.
Decided on:- May 30, 2019.

Daan Singh @ Bhola.

.....Petitioner.

Versus

Malkiat Kaur.

.....Respondent.

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

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

HARI PAL VERMA, J. (Oral)

The petitioner, who is son of the respondent, has filed present criminal revision against the order dated 25.05.2019 passed by learned Principal Judge, Family Court, Sirsa, Camp at Dabwali, whereby in a petition under Section 125 Cr.P.C. filed by respondent-mother, the family Court has awarded interim maintenance of Rs.5,000/- per month to the respondent-mother with effect from the date of filing of the application i.e. 17.09.2018.

Learned counsel for the petitioner has argued that the petitioner is a driver by profession and working with some private person and is hardly getting salary @ Rs.5,000/- per month. Though the respondent-mother is widow, but she is getting regular pension of Rs.12,500/- per month after the death of her husband, who was serving in Punjab Electricity Board.

I have heard learned counsel for the petitioner.

The respondent is admittedly 100% handicapped lady, who is bound to have a regular attendant for 24 hours. In addition thereto, she is required to get regular medicines also. The argument of learned counsel for the petitioner that the respondent is getting regular pension, cannot be accepted as the maintenance awarded to the respondent is interim in nature. Even otherwise, a daily wagger fetches salary to the tune of Rs.10,000/- per month and, therefore, there is no force in the contention of learned counsel for the petitioner that the petitioner is earning Rs.5,000/- per month only. This Court finds that the petitioner has not approached the Court in a fair manner and no interference is warranted with the impugned order dated 25.04.2019 passed by the family Court.

Accordingly, affirming the impugned order dated 25.04.2019 passed by learned Principal Judge, Family Court, Sirsa, Camp at Dabwali, the present criminal revision, being devoid of any merit, is dismissed.

At this stage, learned counsel for the petitioner states that the petitioner is ready to settle the dispute by having recourse of mediation. If that be so, he is at liberty to approach the family Court to make such prayer.

May 30, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No