

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. (F)1004 of 2019 (O&M)

Date of decision : December 03, 2019

Sahab Ram Bishnoi

....Petitioner

versus

Krishna Devi

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Harish Goyal, Advocate, for the petitioner

Fateh Deep Singh, J. (Oral)

In application under Section 125 Cr.P.C. filed by wife Krishna Devi against the respondent husband Sahab Ram, the court of learned Judicial Magistrate Ist Class, Sirsa allowed the application allowing maintenance to the tune of Rs 20,000/- per month. It was during the course of legal wrangle the wife moved application for bringing respondent Sahab Ram to pay maintenance allowance. However, as is there on the records husband failed to abide by the same as a consequence of which the executing court ordered the bank from which the petitioner was drawing his pension to attach the amount to the tune of dues of Rs 8,45,000/-. It is against this order the husband has sought to get his pension released and which was

declined which has come up to be challenged before this Court in this revision petition.

As is there on the records and duly conceded to at the bar by the counsel for the petitioner, order of grant of maintenance as on date has attained finality and the husband has failed to make compliance of the same resulting in accumulation of the arrears. The husband admittedly is getting pension and is supposed to obey the orders of the Court in paying maintenance which is purely welfare initiative to prevent vagrancy and destituteness. The husband has failed to make compliance of the orders of the Court and therefore, is not entitled to any audience. More-so counsel for the petitioner could not convince this Court as to what miscarriage of justice has come about by the orders under assail which are purely to enable the decree holder to recover her maintenance dues. The petition being merely a sinister effort to sabotage the legitimate right of the wife needs to be dismissed being without merits.

Dismissed in *limine*.

December 03, 2019

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No