

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

**CRM-M-549-2020
Decided on : 27.01.2020**

Harmit Singh

. . . Petitioner(s)

Versus

Meenu

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Jaswinder Singh Grewal, Advocate
None for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed by the petitioner-husband under Sections 482 Cr.P.C. for quashing/setting aside the complaint No. 60/2019, dated 13.03.2019, titled as, "Meenu Vs. Harmeet Singh' (Annexure P-1), filed under Section 125 of Cr.P.C. and order dated 27.09.2019 (Annexure P-3), passed by the learned SDJM, Abohar, as well as all the consequential proceedings arising therefrom.

It has been submitted that the marriage between the petitioner and the respondent was solemnized on 30th November, 2017. From the very beginning of the marriage, the behaviour of the respondent-wife was unbecoming of a spouse and she would often walk out of the matrimonial home. Each time, it was the petitioner, who would make efforts to bring her back with the intervention of respectables. From 15th January, 2018, the parties started residing separately. However, the disputes between the parties were resolved and the respondent returned to the matrimonial home, but it seemingly was just a ploy on the part of the respondent. Soon thereafter, the respondent weaved a false story and filed a petition under Section 125 Cr.P.C. It was urged that the intentions of the wife from the

very beginning were otherwise as she was not interested in living with the petitioner and only wanted to extract money from him and his family, for which she even went to the extent of filing a false complaint under Sections 406, 498-A and under the Domestic Violence Act, where, she implicated the entire family of the petitioner.

It has been vehemently urged that the application filed by the respondent-wife for interim maintenance was allowed by the learned SDJM, Abohar, and the petitioner was ordered to give ₹ 3,000/- p.m. to the respondent by failing to notice the conduct of the respondent-wife in its right perspective. It was urged that the Court below failed to take into account that a compromise/divorce deed/affidavit dated 15.01.2018 had been tendered by the parties to the effect that in future both the parties would not file any criminal or civil case against each other. However, the respondent-wife failed to adhere to the compromise and filed a petition under Section 125 Cr.P.C. for interim maintenance and in the said petition under Section 125 Cr.P.C., the respondent did not even obliquely make a mention of the aforementioned compromise, which had been arrived at in the year 2018. It was thus submitted that the interim maintenance in the sum of ₹ 3,000/- granted to the respondent-wife, vide order dated 27.09.2019 (Annexure P-3), deserved to be set aside.

I have heard learned counsel for the petitioner and have gone through the judgments impugned herein.

Admittedly, the relationship between the parties is not disputed. Moreover, the allegations which have been levelled against the respondent-wife cannot be looked into at this stage, but will have to be proved by the parties at the time of trial, when they lead their respective evidence.

Amount of ₹ 3,000/-, which has been awarded as an interim maintenance does not call for any interference as admittedly, not only the petitioner and his father own agricultural land but the petitioner is an able-bodied person also. He is, thus, under a legal obligation to maintain his wife.

Hence, finding no merit in the instant petition, same is dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 27, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*