

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

CRM-M-5193 of 2020.

Decided on:- February 10, 2020.

Rajender.

.....Petitioner.

Versus

Neelam and another

.....Respondents.

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

Present:- Mr. Ravi Malik, Advocate for
Mr. Mohan Singh Rana, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

The petitioner, who is husband of respondent No.1, has filed the present petition under Section 482 Cr.PC impugning the order dated 02.02.2019 passed by learned Judicial Magistrate 1st Class, Palwal, whereby on an application filed by the respondent-wife for grant of interim maintenance, learned Magistrate, while considering the minimum wages of the petitioner, has directed him to pay Rs.3,000/- per month to respondent No.1-wife and Rs.2,000/- per month to respondent No.2-minor son as interim maintenance from the date of filling of the application.

The aforesaid order dated 02.02.2019 passed by learned Magistrate, was subjected to criminal revision before the Court of Session, but learned Additional Sessions Judge, Palwal had dismissed the criminal

revision vide judgment dated 12.12.2019 with the observations that even a casual labourer now-a-days earns more than Rs.10,000/- per month.

The argument of learned counsel for the petitioner that the petitioner is a poor labourer and the respondent No.1-wife is an architect by profession does not appeal this Court as there is no dispute as regard the relationship between the parties. The claimants are the wife and minor son of the petitioner. The maintenance being interim in nature, no interference is warranted.

The present petition is, accordingly, dismissed.

So far as the argument of learned counsel for the petitioner that in case the matter is referred to the mediation, there is a possibility that the matter may be compromised between the parties is concerned, if such like prayer is made by the petitioner before the Court, where the main proceedings are pending, this Court has no doubt in the mind that the prayer so made by the petitioner shall be considered accordingly.

February 10, 2020

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No