

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

CRM-M-19720 OF 2020

DATE OF DECISION :- July 21, 2020

Simarjit Kaur

...Petitioner

Versus

SHO Police Station City Faridkot and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. C.M. Munjal, Advocate for the petitioner.

The case has been taken up through Video Conferencing.

By way of filing the present petition under Section 482 Cr.P.C., petitioner Simarjit Kaur, aged about 50 years wife of Gurmail Singh (respondent No. 2) craves for issuance of necessary directions to SHO Police Station City Faridkot, District Faridkot to get the monthly maintenance allowance at the rate of Rs.9500/- awarded by Additional Chief Judicial Magistrate, Sri Muktsar Sahib dated 31.7.2013 under Section 12 of Protection of Women from Domestic Violence Act, 2005, recovered by issuance of necessary directions to SHO Police Station concerned in terms of Section 20(4) of the Protection of Women from Domestic Violence Act, 2005.

Heard.

The petitioner had approached this Court earlier also by way of

filing a similar petition bearing CRM-M-19998 of 2017 which was disposed of vide order dated 2.6.2017 with a direction to the trial Court of Additional Chief Judicial Magistrate, Sri Muktsar Sahib to comply with the provisions within a period of one month.

Learned counsel for the petitioner has contended that the said order could not be got implemented by the trial Magistrate with the result the petitioner is not having any source of income is on verge of starvation.

After hearing learned counsel for the petitioner and going through the record, the present petition is disposed of with a direction to the trial Court of Additional Chief Judicial Magistrate, Sri Muktsar Sahib to get the order granting maintenance to the petitioner executed by taking up the matter with the SHO of the Police Station concerned or by adopting the other means in accordance with law. If SHO shows any laxity in execution of the order, he may be called to the Court personally and asked to explain the non-execution of the order. If the explanation is not found to be satisfactory then the matter be brought to the notice of Senior Superintendent of Police of the District, for initiating disciplinary action against the SHO concerned and this Court be also intimated so that the desirability of initiating the contempt proceedings in the matter can be examined.

(H.S. MADAAN)
JUDGE

July 21, 2020

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No