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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 145/2020**

DEEPAK KOCHAR

..... Petitioner

Through: Mr Pramod Singh, Advocate.

versus

SMT. MEGHA BAWEJA

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.02.2020

CRL.M.A. 3556/2020

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.REV.P. 145/2020 and CRL.M.A. 3555/2020

3. The petitioner has filed the present petition, *inter alia*, impugning an order dated 18.11.2019, whereby the learned Family Court had directed the petitioner to pay interim maintenance of ₹14,000/- per month from the date of filing of the petition till further orders.
4. The petitioner was also directed to clear all the arrears within a period of three months and continue to pay future maintenance from December 2019 onwards, by depositing the said amount in the bank account of the respondent before 10th day of each month.

5. The respondent had filed the application under Section 125 of the Cr.P.C. indicating that the petitioner is earning ₹60,000/- per month. She claimed that the petitioner was doing business of a fashion designer and also owned a shop in Naveen Shahdara. She also relied upon the bio-data submitted by the petitioner to Hari Om Mandir on 22.01.2017, where he disclosed his monthly income to be ₹40,000/- per month.

6. The petitioner claims that he is earning only ₹12,000/- per month and is employed by the father of one of his friends, who is the sole proprietor of Nayyers Creation. He also stated that he was receiving salary in cash and he has not signed any voucher. He also stated that he did not know whether his salary was shown in the books of accounts of his employer.

7. The learned Family Court had examined the bank statement of the petitioner which indicated that there were several deposits. It was noted that a sum of ₹7,500/- was deposited on 26.06.2018, ₹9,000/- was deposited on 18.10.2018; ₹20,000/- was deposited on 30.10.2018; ₹20,500/- was deposited on 16.11.2018; ₹13,000/- was deposited on 28.11.2018; and ₹21,000/- was deposited on 05.12.2018. The said deposits did not substantiate the petitioner's claim that he was receiving salary of ₹12,000/-.

8. The petitioner admitted that he had his own business which, according to the petitioner, was shut down after demonetisation. Admittedly, the petitioner was a designer. According to the petitioner, he was employed with a tailor and in any event, the petitioner was a person having valuable skills.

9. The learned Family Court also examined the photographs, which

showed the petitioner with certain models.

10. In the circumstances, the contention that the petitioner was earning wages below the minimum wages was not accepted by the learned Family Court and the petitioner's statement that he was only earning ₹12,000/- as salary, was disbelieved.

11. This Court finds no infirmity with the said order. The petition is unmerited and, accordingly, dismissed.

12. The pending application is also disposed of.

FEBRUARY 17, 2020
RK

VIBHU BAKHRU, J