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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-13-2022

Date of Decision: January 10, 2022

Vikas Singla

.....Petitioner

Versus

Sakshi Mittal and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Ashok Paul Batra, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The petition has been filed by the petitioner impugning the order dated 26.11.2021 whereby the Principal Judge, Family Court, Bathinda has awarded the interim maintenance of Rs.5,000/- each to the respondents under Section 125 Cr.P.C.

It has been contended by learned counsel for the petitioner that the Principal Judge has misread and misconstrued the facts on record and the same has resulted in material prejudice to the petitioner. He submits that the view taken by the Family Court is based on the presumptions and assumptions wherein his monthly salary has been taken to be Rs.20,000/- He further submits that the learned trial Court has failed to appreciate the fact that the petitioner never refused to live with respondent No.1 and she

(wife) herself deserted the petitioner. He further contends that he has filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights to show his bona fide.

Heard.

The petition under Section 125 Cr.P.C. has been filed by the respondents praying for grant of maintenance @ Rs.30,000/- per month. The relationship between the husband and the wife was duly admitted. It is further apparent from the record that the respondent-wife has no source of income and she has the responsibility of the minor son as well. She is post-graduate and looking after her two year old son also. The petitioner -husband is an able-bodied person. In the considered opinion of this Court the view taken by the Family Court in granting the maintenance *pendente lite* to the tune of Rs.5000/- per month to each respondent suffers from no infirmity and illegality and hence the petition is hereby dismissed.

January 10, 2022
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(RAJESH BHARDWAJ)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No