

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

(Sr. No. 116)

CRM-M No.14626 of 2022

Date of decision : 06.04.2022

Sonia @ Simran and another

.....Petitioners

Versus

Shiv Sharma

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. G. S. Sandhu, Advocate for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C. the petitioners, who are the wife and minor daughter of the respondent respectively, seek issuance of directions to the Additional Principal Judge, Family Court, Karnal (for short- the Trial Court) to dispose of the application filed by the petitioners under Section 125 Cr.P.C. in a time bound manner.

Learned counsel for the petitioners contends that on 03.01.2019 the petitioners had filed an application under Section 125 Cr.P.C. seeking therein maintenance from the respondent but till date the same remains undecided resulting in great hardship to both the petitioners.

The petitioners are the estranged wife and minor daughter of the respondent who had over 3 years and 3 months ago filed an application under Section 125 Cr.P.C. seeking therein maintenance from the

respondent. Such application has remained pending primarily on account of repeated change of counsels by the respondent; the presiding Judge being on leave and due to restricted functioning of the Courts on account of COVID-19. Nonetheless, without commenting on the reasons for the delay in the disposal of the petitioners' application, this Court is of the opinion that pendency thereof and that too for over 3 years goes against the very object of Section 125 Cr.P.C. especially when, in the interregnum, even interim maintenance has not been determined. Therefore, the present petition is disposed of with a direction to the Trial Court to finally adjudicate upon the petitioners' claim within three months from the date of receipt of a copy of this order, in accordance with law.

The petition is allowed in the above terms.

In case the respondent is aggrieved by the passing of this order, he is at liberty to approach this Court by moving an appropriate application.

06.04.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No