

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(119)

CRM-M-37380-2022
Date of Decision: 24.08.2022

Jatin Verma

--Petitioner

Versus

State of Haryana & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Sukhwinder Sudan, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 482 Cr.P.C praying for setting aside the order dated 26.7.2022 (Annexure P-1) passed by the learned Addl. Principal Judge, Family Court, Camp Court, Sub Division Bilaspur, District Yamuna Nagar in MNT/46/2020, whereby conditional warrants of arrest of the petitioner have been issued as also for stay of the operation of the impugned order.

Learned counsel for the petitioner submits that case of the petitioner was fixed before this High Court and he could not appear before the learned Family Court on 26.7.2022. He submits that counsel of the petitioner did not bring it to the notice of the learned Family Court that the petitioner has already paid the maintenance in excess and there was nothing due for which the conditional warrants could have been issued against him. Counsel has drawn the attention of this court to the payments made by the petitioner according to which the total paid amount up to 7.6.2022 is Rs.2,09,000/-. He further submits that the payable amount was Rs.1,01,200/- but the petitioner paid in excess Rs.1,07,800/-. It is submitted that as the petitioner has already paid the maintenance amount in

excess the conditional warrants of arrest issued against the petitioner are against the spirit of law. Counsel submits that petitioner is ready to appear before the court concerned and he may be granted some protection.

Keeping in view the peculiar facts and circumstances of the case and the submissions made by counsel, present petition is disposed of by granting protection from arrest to the petitioner up to 30.8.2022 from tomorrow i.e. 25.8.2022. The petitioner would appear before the court concerned with an appropriate application and the court concerned would decide the application, if any, filed by the petitioner in accordance with law. The order dated 26.7.2022 under challenge is ordered to be kept in abeyance till the time the Family Court decide the application to be moved by the petitioner as stated above. In case no application is filed till 30.8.2022, this order would be of no avail to him.

(RAJESH BHARDWAJ)
JUDGE

24.08.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No