

CRR(F)-466-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125

CRR(F)-466-2023

Date of Decision : 28.03.2023

Nishu Bham

..... Petitioner

Versus

Jaswinder Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Nitesh Singla, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition is seeking quashing of order dated 14.02.2023 whereby Principal Judge, Family Court, Mansa, has dismissed application under Section 125 Cr.P.C. seeking interim maintenance.

Learned counsel for the petitioner *inter alia* contends that the Family Court has denied the interim maintenance to the petitioner considering the income of petitioner Rs.12,000/- per month. The petitioner was working with District & Sessions Judge, Mansa as Clerk on *ad hoc* basis. The petitioner has been relieved on 06.03.2023, thus, in view of changed circumstances, the matter needs to be reconsidered.

On being confronted with Section 127(1) of Cr.P.C. which empowers Magistrate to pass afresh order in view of changed circumstances, learned counsel seeks permission to withdraw the present petition with liberty to file appropriate application before trial Court.

Dismissed as withdrawn with liberty to move an appropriate application before the Family Court in terms of Section 127(1) of Cr.P.C. This Court is sanguine of the fact that the Family Court would pass afresh order after considering the changed facts and circumstances.

(JAGMOHAN BANSAL)
JUDGE

28.03.2023
anju

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>