

**261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-31997-2014 (O&M)
Date of decision: 04.12.2023**

JORA

.....Petitioner

versus

RAJPATI & ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: None for the petitioner.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed by the petitioner under Section 482 Cr.P.C. is for setting aside the order dated 22.03.2014, passed by the Additional Chief Judicial Magistrate, Jind, whereby an application filed under Section 125 Cr.P.C. by respondent No. 1-wife and respondent No. 2-the minor child (Annexure P-3), was allowed, which was further upheld by the Court of Sessions Judge, Jind, by way of dismissal of revision petition, vide order dated 12.08.2014 (Annexure P-4).

2. Today, there is no representation on behalf of either of the parties.

3. Vide impugned order dated 22.03.2014, (Annexure P-3), A meager amount of Rs.2,000/- per month has been granted to respondent No.1-wife and a sum of Rs.1,000/- per month has been granted to respondent No.2-minor child as maintenance by the learned Additional Chief Judicial Magistrate, Jind. As per para No. 8 of the impugned order, petitioner No.2 is a school going child. The relationship between the parties is not disputed. Though it was argued before the learned Additional Chief Judicial Magistrate, Jind that the petitioner-husband is a 70% disabled person as his one arm has been amputated and he is not capable of

doing any hard work, but, keeping in view the age of respondent No.2, who was 10

years old at the time of the filing of the petition, as recorded in Para No.10 of the impugned order (Annexure P-3), the petitioner father has legal duty to maintain his minor Child. Despite his disability, he is presumed to do earn his livelihood by doing suitable work. That there is no representation on behalf of the petitioner. A meager amount has been awarded.

4. No illegality is found in the impugned orders dated 22.03.2014 (Annexure P-3) and 12.08.2014 (Annexure P-4).
5. Accordingly, the present petition stands dismissed.
6. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

04.12.2023
sim/n

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No