

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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2023:PHHC:067998
CRR(F)-740-2023(O&M)
DECIDED ON: 11.05.2023

Rohit

.....Petitioner

VERSUS

Sarita

....Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.Kamal Chaudhary, Advocate, for the petitioner.

SANJEEV PRAKASH SHARMA, J (ORAL)

The petitioner assails the order passed under Section 125 Cr.P.C for interim maintenance dated 31.03.2023 whereby the petitioner has been directed to pay a sum of Rs.8000/- per month to the applicant no.1 and Rs.4,000/- towards interim maintenance from the date of filing of application for interim maintenance till disposal of the main petition.

Learned counsel for the petitioner submits that the income assessed by the learned Court below is on much higher side and actually the petitioner is only receiving Rs.9,000/- per month. The learned Court has wrongfully assessed the petitioner's income by erroneously reading the bank account's statement of the petitioner.

I have heard the submissions.

The conjugal relationship between the petitioner and the respondent is not disputed. The Court has taken into consideration the documents which have been brought on record to reach to a factual conclusion. The present petition filed under Section 482 Cr.P.C would

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not be treated as an appeal. This Court will only examine if there has been a perversity in the order passed by the Court below, factual aspects have already been dealt with, need not be reconsidered. The order passed by the Court dated 31.03.2023 therefore, does not warrant any interference, the petition is dismissed.

11.05.2023
mamta

(SANJEEV PRAKASH SHARMA)
JUDGE

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