

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(121)

CRR(F) No. 1000 of 2023 (O&M)

Date of Decision : 18.07.2023

Pawan Kumar

...Petitioner

Versus

Ritu and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Gaurav Datta, Advocate for the petitioner.

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**Harsimran Singh Sethi J. (Oral)**

The present petition has been filed challenging the order dated 24.05.2023 passed by the learned Principal Judge, Family Court, Hisar by which, the application filed by the respondent-wife for the grant of maintenance under Section 125 Cr.P.C. has been allowed and the respondent-wife has been awarded maintenance @ Rs. 10,000/- per month and the minor child has been awarded a sum of Rs. 2,000/-.

Learned counsel for the petitioner argues that while passing the impugned order, the evidence, which has come on record, has been ignored so as to grant the maintenance in favour of the respondent-wife and the minor child. Learned counsel for the petitioner submits that the maintenance granted is exorbitant keeping in view the income of the petitioner.

I have heard learned counsel for the petitioner and have gone through the record with his able assistance.

It may be noticed that only a sum of Rs. 2,000/- has been granted in favour of the minor child as maintenance and Rs. 10,000/- per month in favour of respondent-wife for their subsistence.

Keeping in view the facts and circumstances of the present case, where the petitioner is working as a mechanic and the evidence which has come on record qua the income of the petitioner, the amount awarded by the court below cannot be treated as exorbitant or excessive. The respondent-wife has not only to subsist but has to be maintained in the same status, which she was enjoying immediately after the marriage. Learned counsel for the petitioner has not been able to point out that the amount awarded in favour of the respondent-wife by the court below as maintenance, is contrary to any evidence, which has come on record.

Learned counsel for the petitioner submits that the present is the first revision petition, hence, the entire evidence is required to be appreciated.

It may be noticed that as no perversity in the impugned order has been pointed out by learned counsel for the petitioner keeping in view the evidence which has come on record and in the absence of any perversity, this Court is competent to pass the present order even after hearing learned counsel for the petitioner. This Court is not required to re-appreciate the entire evidence on the asking of the petitioner, especially when, no perversity in the order has been pointed out keeping in view the evidence, which has come on record.

Keeping in view the facts and circumstances of the present case, no interference is called for by this Court in the present criminal revision petition and the same is, accordingly, dismissed.

**CRM-28606-2023**

As the main petition has been dismissed, the present application stands dismissed.

**July 18, 2023**  
*kanchan*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*