

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-664 of 2022

Date of Decision: 20.01.2023

Jaspal Singh

.....Petitioner

versus

Ranjeet Kaur and another

.....Respondents

CORAM HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present Mr.PKS Phoolka, Advocate, for the petitioner.

JAGMOHAN BANSAL, J (ORAL)

The petitioner through the instant petition under Section 482 Cr.P.C is seeking setting aside of the execution application / proceeding bearing File No.17-23/05/2018 vide CRM/4780/2018, whereby the respondent has filed execution application for recovery of the pending interim maintenance from dated 07.04.2016 to 21.05.2018 in the Court of Ms.Ravi Inder Kaur, granted vide order dated 29.09.2016 (Annexure P-2) passed in MNT 6210 of 2016 File No.77 dated 07.04.2016; titled Ranjit Kaur v. Jaspal Singh passed by JMIC, Bathinda, along with all subsequent proceedings relating thereto, qua the petitioner.

Learned counsel for the petitioner submits that respondent filed petition under Section 125 Cr.P.C seeking maintenance from petitioner and trial Court vide order dated 29.09.2016 awarded interim maintenance, however, respondent opted to withdraw the petition because she was aware that she is not legally wedded wife of the petitioner. The petitioner challenged order awarding interim maintenance, however, revision petition came to be dismissed by

Sessions Court. The petitioner did not challenge order passed by Sessions Court in revision because respondent withdrew her main petition now she has filed Execution Petition seeking recovery of interim maintenance for the period from 07.04.2016 to 21.05.2018.

Learned counsel without arguing on merits of the Execution Petition submits that petitioner may be granted liberty to putforth his stand before Executing Court before taking any coercive step because petitioner is not husband of the respondent.

Without commenting on merits of the case, the present petition is disposed of with a request to Executing Court to dispose of Execution Petition at the earliest and preferably within a period of three months from today and before passing any final order, the petitioner without taking coercive steps be heard.

(JAGMOHAN BANSAL)
JUDGE

20.01.2023

mamta

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