

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CRM-M-5222 of 2024
Date of Decision:01.02.2024

Soni and another

....Petitioner(s)

Versus

Sidharth

.....Respondent(s)

CORAM: HON’BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Tarun Kumar Sharma, Advocate,
for the petitioners.

SUDEEPTI SHARMA, J. (Oral)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, seeking issuance of directions to the learned trial Court to expedite and decide the proceedings within a time bound manner arising out of the petition filed under Section 125 of the Code of Criminal Procedure bearing MNT-63-2020 dated 17.08.2020, titled as “Sonia versus Sidharth” (Annexure P-1).
2. Learned counsel for the petitioner submits that petitioner No.1 has been deserted by the respondent and she is having no source of income to bear the expenses of her minor child (son) therefore application under Section 125 of the Code of Criminal Procedure for interim maintenance has been filed by the petitioners before the learned trial Court in the year 2020 and since then the petitioner is facing financial hardship as the said application has not been decided as yet. He further contends that as per the proviso to Section 125 of the Code of Criminal Procedure, application for the monthly allowance for the

interim maintenance and expenses is to be disposed of within a period of 60 days from the date of service of notice of the application and she is not granted any maintenance since the year 2020.

3. I have heard learned counsel for the petitioner and perused the record whereby he has placed on record the zimni orders passed by the learned trial Court.

4. After perusal of the aforesaid zimni orders, it has been observed that adjournments are sought by the respondent and are also granted and further shows that the notice was served on 08.04.2022. The respondent had appeared through his counsel and despite that, the case is lingering on till date for no fault of the petitioner.

5. In view of the above facts and circumstances of the present case as well as the proposition of law under the proviso to Section 125 of the Code of Criminal Procedure, the present petition is disposed of with a direction to the learned trial Court to decide the application moved by the petitioner for interim maintenance under Section 125 of the Code of Criminal Procedure bearing MNT-63-2020 dated 17.08.2020, titled as “Sonia versus Sidharth” (Annexure P-1), within a period of two months from today.

5. Disposed of accordingly.

6. Pending applications, if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

February 01, 2024
dinesh

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