

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

119

Criminal Revision (F) No.327 of 2024

Date of decision :-04.03.2024

Anil Gautam

.....Petitioner

Versus

Kiran and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Jagtar Kureel, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Challenge in the present petition is to the impugned order dated 15.1.2024 passed by the learned Family Court in an application under Section 125 Cr.P.C. filed by the respondents, whereby the petitioner has been directed to pay Rs.22,500/- per month (i.e. Rs.12,500/- per month to respondent No.1 and Rs.5000/- per month each to respondents No.2 and 3) despite the fact that total monthly salary of the petitioner is only Rs.35,400/- per month.

Learned counsel for the petitioner *inter alia* submits that vide impugned order dated 15.1.2024, the learned Family Court has directed the petitioner to pay interim maintenance of Rs.22,500/- per month to the respondents, as detailed above. Learned counsel submits that in compliance of direction of the Hon'ble Supreme Court in ***Rajnish vs. Neha 2021(2) SCC 324*** the petitioner had filed an affidavit (Annexure P-13) of assets and liabilities wherein he has stated on oath

that he was a contractual employee, and his monthly salary is only Rs.35,400/- per month. It is submitted that despite this the learned Family Court assumed the income of the petitioner to be Rs.50,000/- per month only due to the fact that the petitioner had not produced his salary slip. Learned counsel submits that the same has been produced before this Court as Annexure P-16.

After arguing for some time, learned counsel for the petitioner, seeks to withdraw the present petition at this stage with liberty to produce the salary slip (Annexure P-16) of the petitioner before the Court below.

Dismissed as withdrawn with the liberty aforesaid.

Pending application(s), if any, shall stands disposed of.

March 04, 2024

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No