



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

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CRM-M-20611-2014 (O&M)

Date of Decision: 20.12.2024

Ikbal

.... Petitioner

Versus

Shayara Bano and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the parties.

NIDHI GUPTA, J. (ORAL)

Challenge in the present petition is to the order dated 04.10.2013 (Annexure P-1) passed by the learned Judicial Magistrate 1st Class, Rewari in petition No. 36/21.09.2012 whereby in proceedings under Section 125 Cr.P.C. filed by the respondents herein, the petitioner had been directed to pay **interim maintenance** of Rs.7,000/- p.m. (Rs.4,000/-p.m. to respondent No.1-wife and Rs.3,000/-p.m. to respondent No.2-minor child). The said order was challenged by the petitioner by way of Criminal Revision bearing No. 25 of 2013. Vide order dated 16.04.2014 (Annexure P-2), the said Criminal Revision was dismissed by learned Sessions Judge, Rewari. Hence, the present petition has been filed.

On the last date of hearing i.e. 26.09.2024, following order was passed by this Court:-



*“Challenge in the present petition is to the order dated 04.10.2013 (Annexure P-1) passed by the learned Judicial Magistrate 1st Class, Rewari in petition No. 36/21.09.2012 whereby in proceedings under Section 125 Cr.P.C. filed by the respondents herein, the petitioner had been directed to pay **interim maintenance** of Rs.7,000/- p.m. (Rs.4,000/-p.m. to respondent No.1-wife and Rs.3,000/-p.m. to respondent No.2-minor child). The said order was challenged by the petitioner by way of Criminal Revision bearing No. 25 of 2013. Vide order dated 16.04.2014 (Annexure P-2), the said Criminal Revision was dismissed by learned Sessions Judge, Rewari. Hence, the present petition has been filed.*

Matter pertains to the year 2014. Order sheets show that it has been repeatedly adjourned either at request of learned counsel for the petitioner or due to non-appearance on behalf of the petitioner. Even today, none has put in appearance on behalf of either of the parties. As the challenge herein is to the order of interim maintenance, it is most likely that main petition under Section 125 Cr.P.C. has long been disposed of thus rendering the present petition infructuous. As such, report be called from the learned trial Court informing the status of the main petition No.36/21.09.2012 titled as “Shayara Bano and another vs. Ikbali.”

Adjourned to 20.12.2024.”

In compliance of above order dated 26.09.2024, learned Principal Judge, Family Court, Rewari, has submitted his report dated 26.11.2024 duly forwarded by the learned District and Sessions Judge, Rewari, the relevant extract of which reads as under:-



“(5) Further the petition was disposed of vide final order dated 03.05.2017 (copy Annexure-B). It is pertinent to clarify here that petition number at the time of disposal is 14 of 2015 with date of institution mentioned as 21.09.2012/30.01.2015, which reflects the change in petition number probably due to change of court. The record also contains file cover with the case No.36 date of institution 21.09.2012, in the court of Shri Rajesh Bhankhar, the then learned CJM, Rewari.

(6) Thus, it is concluded that the main petition under Section 125 Cr.P.C. has already been disposed of vide order dated 03.05.2017.”

In view of the above, nothing survives in the present petition and the same stands disposed of, as infructuous.

Pending application(s), if any, stand(s) disposed of.

20.12.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No