

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

CRM-15928-2024 in/and
CRR(F)-520-2024
Date of decision: 16.04.2024

Dinker SehgalPetitioner

Versus

Latika Sehgal ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rajesh Kumar Moudgil, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

CRM-15928-2024

This is an application under Section 5 of the Limitation Act, 1963 seeking condonation of delay of 165 days in filing the present revision petition.

In view of the averments made in the application, no ground for condoning the delay in filing the present revision petition is made out and thus, the same stands dismissed.

CRR(F)-520-2024

The present revision petition has been filed against the impugned order dated 28.07.2023 (Annexure P-1) passed by the learned Additional Principal Judge, Family Court, Patiala, vide which 1/3rd of the salary of the petitioner attached, through warrant of attachment, issued in Execution Petition filed by the respondent under Section 128 of Cr.P.C.

Brief facts of the case are that marriage between the petitioner and respondent was solemnized on 24.07.2016 in accordance with Hindu rites and

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rituals. Out of this wedlock, no child was born. Both the petitioner and respondent are divorcee and this is their second marriage in which they were cohabiting together as husband and wife upto 14.08.2016. It is further alleged that as the birthday of the respondent fell on 15.08.2016, she decided to celebrate with her parents at Patiala and on asking of the respondent, petitioner along with the respondent went to Patiala on 14.08.2016 and came back on 16.08.2016 as he had to attend his office but the respondent decided to stay back at her parents' house. Relationship between the petitioner and the respondent remained cordial only for the first week after marriage and thereafter, both of them started fighting. It is further alleged that respondent used to pressurize the petitioner to leave his house and shift to Patiala at her parental house. Petitioner is living with his mother who is an old lady suffering from ailments and dependent upon the petitioner and respondent had not taken care of the petitioner's mother and started indulging in verbal altercation and used harsh words for expressing her displeasure with her marriage. Further, the respondent left the matrimonial house within three months from the date of marriage and the petitioner along with his family members conveyed various panchayats and requested the respondent and her family members to let the respondent join her matrimonial house but her family members refused the same. Further, the respondent filed criminal complaint No. COMI-226-2016 under Section 498-A/406 of IPC in the Court of Judicial Magistrate, Patiala against all the family members of the petitioner but all were discharged vide order dated 28.02.2023 (Annexure P-7) and CRR(F)-591-2023 filed by the petitioner and CRR(F)-598-2023 filed by the respondent against the

Having heard learned counsel for the petitioner and after perusing the record, this Court finds no force in the arguments advanced by learned counsel for the petitioner. The learned Family Court has passed the order on an application filed by the respondent and it is a well settled principle of law that when a person who is ordered to pay maintenance, fails to comply with the order, he can either be arrested for non-compliance or his properties both movable or immovable including salary can be attached.

(HARPREET SINGH BRAR)
JUDGE

Neha Whether speaking/reasoned : Yes/No
 Whether reportable : Yes/No