

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR(F)-588-2023 (O&M)
Date of Decision : 01.02.2024

Rishpal Singh

....Petitioner

VERSUS

Smt. Charanjit Kaur

....Respondent

CORAM : HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Kamal Deep Singh Redhu, Advocate for the petitioner.

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SUDEEPTI SHARMA, J. (Oral)

CRM-17596-2023

1. This is an application for condonation of delay of 136 days in filing the present petition.
2. For the reasons mentioned in the application, the same is allowed and delay of 136 days in filing the present revision petition is condoned.

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1. The petitioner has challenged order dated 01.09.2022 passed by the learned Principal Judge, Family Court, Jind, whereby the petition under Section 125 of the Code of Criminal Procedure, 1973 filed by the respondent-wife has been allowed and the petitioner has been directed to pay maintenance to the tune of Rs.7000/- per month to the respondent from the date of filing of the application besides ordering a sum of Rs.5000/- as litigation expenses from the date of filing the petition till its final disposal.

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2. Learned counsel for the petitioner contends that the petitioner is an agriculturist and is earning only Rs.10,000/- per month and the amount of maintenance to the tune of Rs.7000/- is on the higher side. He further contends that there is one son born out of the wedlock, who is also staying with the petitioner.
3. I have heard learned counsel for the petitioner and perused the impugned order.
4. A perusal of the impugned order shows that the petitioner deserted his wife and out of ancestral land measuring 26 kanals 15 marlas, as per jamabandies the petitioner has a share of 14 kanal and 8 marla. Further as per the order, the petitioner has taken 5 acre of land on rent as well. Further, since the petitioner is having 15 buffaloes, he is running business of dairy farming by selling milk, from which he is earning more than Rs.1,15,000/- per month. Further considering his income from the above mentioned resources, the learned Court below, vide the impugned order, has rightly assessed the income of the petitioner and directed him to pay maintenance to the tune of Rs.7000/- per month to the respondent.
5. In view of the above, I do not find any infirmity in the impugned order dated 01.09.2022, the same is affirmed. The present petition being devoid of any merit is dismissed accordingly.
6. Pending applications, if any, also stand disposed off.

February 01, 2024
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(SUDEEPTI SHARMA)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No