

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-894-2023 (O&M)

Date of Decision: 09.04.2024

UPKAR SINGH

.....PETITIONER

Vs.

NAVJOT KAUR

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Akshay Chadha, Advocate,
for the petitioner.

Mr. Gurcharan Dass, Advocate,
for the respondent.

HARPREET KAUR JEEWAN J. (ORAL)

1. Prayer in the present petition is for setting aside the impugned order dated 15.03.2023 passed by learned Additional Principal Judge, Family Court, Ludhiana, granting interim maintenance to the tune of ₹8,000/- per month to be paid by the petitioner to the respondent in a petition under Section 125 Cr.P.C.

2. Learned counsel for the petitioner *inter alia* contends that at the time of passing the impugned order, the respondent-wife has concealed her income, which has later on come to the notice of the petitioner by way of income tax returns (Annexure P-10) (colly), which could not be presented before the Family Court at the relevant time.

3. Learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to approach the

Family Court within 2 weeks from today by way of filing an application for modification of the impugned order on the basis of said documents.

4. He further submits that in the meantime, no coercive action may be taken against the petitioner regarding non-payment on the basis of the impugned order.

5. Keeping in view the above, the present petition is dismissed as withdrawn with the liberty aforesaid. The Family Court may not take any coercive action against the petitioner for the next 15 days w.e.f. today.

6. Pending miscellaneous application (s), if any, shall also stand disposed of.

April 09, 2024

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(HARPREET KAUR JEEWAN)

JUDGE

Whether Speaking

Whether reportable

Yes\

No