

**Sr. No.112****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRR(F)-865-2024****Date of decision: 07th November 2024****PINKI****.....Petitioner****versus****RAVI DESWAL****.....Respondent****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Ms. Jasleen Kaur Chhibber, Advocate for
Mr. Mandeep Singh Khillan, Advocate
for the petitioner.

HARPREET KAUR JEEWAN, J.**CRM-26772-2024**

In view of the averments made in the application, the same is allowed. Delay of 28 days in filing the main revision petition is condoned.

CRM stands disposed of.

CRR(F)-865-2024

1. Challenge in the present Criminal Revision Petition is to the order dated 05.03.2024, passed by learned Additional Principal Judge, Family Court, Sonipat, whereby, the respondent has been directed to pay a sum of ₹10,000/- per month as maintenance to the petitioner. By way of filing the present criminal revision petition, prayer has been made for enhancement of the said amount of maintenance.

2. Learned counsel for the petitioner submits that the respondent is serving in Indian Air Force and he is getting a handsome salary, whereas, a meager amount of ₹10,000/- per month has been awarded as maintenance to

the petitioner. It is further submitted that the petitioner is not working and



she is unable to maintain herself. The petitioner is entitled for the same standard of living, as is being maintained by the respondent-husband, as such, she is entitled for enhancement of the maintenance amount.

3. I have heard the learned counsel for the petitioner and perused the paper book.

4. The marriage of the parties was admittedly solemnized on 28.02.2017. The petitioner filed a petition under Section 125 Cr.P.C. against the respondent-husband, for grant of maintenance. The said petition was contested by the respondent-husband. The respondent has taken a plea that the petitioner is a well-educated person, having qualifications of B.Sc. and B.Ed and she is competent to maintain herself. It is also contended that the petitioner is doing the work of giving tuition and she earns sufficient amount to maintain herself. Both the parties led their evidence.

5. The Family Court observed that the proceedings under section 125 Cr.P.C. are summary in nature. The affidavit of income and liabilities was filed by both the parties. The Family Court observed that the petitioner-wife had furnished wrong information in the said affidavit and she has not given the details of her bank account in the requisite column of the said affidavit. Upon oral inquiry, the petitioner informed the Family Court that she is having a bank account in the State bank of India, Sonipat. She was directed to file the account statement of the said bank account. The trial Court observed that there were heavy credit and debit entries in the said account. Various entries were noted by the Family Court, which are observed in Para No.17 of the impugned order dated 05.03.2024, which reads as

under:-



“xxx xxx xxx xxx

17. A careful perusal of the aforementioned bank account would reflect that on 08/03/22, there is a credit entry of ₹4,99,400/-, on 06/09/22, there is a credit entry of ₹5,45,300, on 16/09/22, there is a credit entry of ₹2,60,000, on 01/10/22, there is a credit entry of Rs.20000/-, on 11/03/22, there is a credit entry of Rs.5,00,000/-, on 13/04/13, there is a credit entry of Rs.3,93,953/-, on 13/04/13, there is a credit entry of Rs.25,000/-, on 26/05/23, there is a credit entry of Rs.5,00,000/-, on 08/06/23, there is a credit entry of Rs.33,000/- & Rs.23,000/-, on 15/06/23, there is a credit entry of Rs. 18,000/-, on 26/06/23, there is a credit entry of Rs.1,72,561/-, on 09/08/23, there is a credit entry of Rs.1,47,189/-, on 11/08/23, there is a credit entry of Rs.50,000/-, on 18/08/23, there is a credit entry of Rs.36,870/-& so on. Apart from these heavy credit entries, there are other numerous entries of credit & cash deposit of Rs.2,000/-, Rs.3,000/-, Rs.4,000/-, Rs. 5,000/-, Rs.10,000/- etc. & also numerous withdrawals. These entries coupled with the fact that the petitioner is a qualified lady having degree of B.Sc. & B.Ed. as well as the fact that she intentionally concealed her bank particulars from the court, would support the case of respondent that the petitioner is actually having a source of income, which she is attempting to conceal. The fact that she concealed her bank statement from the Court containing regular and heavy transactions would reflect that the petitioner is certainly having a source of income which she is attempting to conceal from the court.

xxx xxx xxx xxx”

6. Keeping in view the fact that the petitioner-wife has concealed material facts from the Court and also considering the fact that the petitioner herself is having educational qualifications and she is able to work and maintain herself, in such circumstances, the order dated 05.03.2024, passed



7. Keeping in view the conduct of the petitioner that she had filed an affidavit with false information before the Family Court, this Court is not inclined to grant any indulgence in the order dated 05.03.2024, passed by the Family Court.

8. Consequently, the present Criminal Revision Petition stands dismissed.

9. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

07th November 2024
simran

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