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111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-918-2024 (O&M)

Date of Decision: 19.07.2024

PAWAN YADAV

.....PETITIONER

Vs.

POOJA YADAV AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Vishal Sharma, Advocate,
for the petitioner.

HARPREET KAUR JEEWAN J.

1. The challenge in the present Criminal Revision Petition is to the correctness of the order dated 09.05.2024 passed by the Family Court, Rewari, whereby the petitioner has been directed to pay interim maintenance amounting to ₹6,000/- per month each to both the respondents during the pendency of the petition filed under Section 125 Cr.P.C.

2. I have heard learned counsel for the petitioner.

3. Keeping in view the facts and circumstances on record, issuance of notice to the respondents is dispensed with.

4. The petitioner (respondent before the Family Court) has filed a reply (Annexure P-2) in the Family Court contesting the petition filed by the respondents (petitioners before the Family Court), on various grounds. However, the relationship *inter se* the parties is admitted. The impugned order has been passed on the basis of the pleadings and taking into consideration the affidavits filed by both the parties disclosing their assets and liabilities. In the affidavit of assets and liabilities of the petitioner,



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(Annexure P-3), he has alleged that his monthly expenses are ₹25,000/- which includes household expenses, medical bills and transportation etc. The parties are having a female child which as per the admission of the petitioner in his written statement (Annexure P-2) and the affidavit (Annexure P-3) is in the custody of respondent No. 1-mother. He has alleged in column No. 4 (F) (1) that he is unemployed despite the fact that the petitioner has alleged that his monthly expenditure are ₹25,000/-. It is highly improbable that the petitioner is not having any income but he is able to incur ₹25,000/- per month as monthly expenditure. There is nothing on record to suggest the source of income from which the petitioner is incurring the said expenses.

5. In such circumstances, the observations of the Family Court allowing ₹6,000/- per month each to the respondents is just and equitable. It is further observed that the parties are yet to prove their allegations and counter-allegations during the decision of the main petition on merits upon appreciation of the evidence which is yet to be led by the parties. As such, no illegality is found in the impugned order.

6. Consequently, the present petition has no merits and is accordingly dismissed.

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

July 19, 2024 (HARPREET KAUR JEEWAN)
nitin JUDGE

Whether Speaking	Yes
Whether reportable	No