

Sr. No.112

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

**CRR(F)-737-2022 (O&M)
Date of decision: 29th January, 2024**

LOKESH WADHWA**Petitioner**

versus

ESHA**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prashant Singh Chauhan, Advocate and
Mr. Aman Yadav, Advocate
for the petitioner.

Mr. Deepinder Singh, Advocate
for the respondent.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present criminal revision petition filed by the petitioner is for setting aside the order dated 07.06.2022, passed by the Principal Judge, Family Court, Faridabad granting *ad interim* maintenance @ Rs.6,000/- per month to the respondent-wife during the pendency of the petition filed by the respondent-wife under Section 125 Cr.P.C.
2. Learned counsel for the petitioner contends that the petitioner has a liability to take care of his mother, who is a heart patient and he has remained unemployed as his services were terminated on account of the litigation between the parties. The petitioner is only IXth class pass. However, the Family Court has failed to take into consideration these facts while passing the impugned order.
3. After arguing for some time, learned counsel for the petitioner contends that the petitioner would deposit the entire arrears of maintenance within a period of 02 months from today in case the interim maintenance is reduced to

Rs.4,500/- per month, subject to granting a liberty to the petitioner to lay a challenge on merits at the time of disposal of the petition under Section 125 of the Code.

4. Learned counsel appearing for the respondent very candidly accepted the said offer made by the petitioner.

5. In view of the above, the present revision petition stands allowed and the impugned order dated 07.06.2022 passed by the Family Court, Faridabad is modified to the extent that the petitioner is directed to pay interim maintenance to the respondent @ Rs.4,500/- per month instead of Rs.6,500/- per month awarded by the Family Court, subject to the condition that the petitioner shall clear the arrears within a period of two months from today. 50% of the arrears shall be paid within a period of one month.

6. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

29th January, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No