



**CRM-34138-2024 IN/AND
CRR(F)-1086-2024 (O&M) 1**

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

**CRM-34138-2024 IN/AND
CRR(F)-1086-2024 (O&M)
Date of Decision: 30.08.2024**

**SUKHCHAIN SINGH
.....PETITIONER

Vs.
SUKHWINDER KAUR AND ANOTHER
.....RESPONDENTS**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Amandeep Singh, Advocate,
for the applicant-petitioner.

HARPREET KAUR JEEWAN J. (ORAL)

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In view of the averments made in the application, which is duly supported by an affidavit of the applicant-petitioner, the application is allowed and the delay of 34 days in filing the present Criminal Revision Petition is hereby condoned.

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Application for exemption is allowed, as prayed for.

CRR(F)-1086-2024 (O&M)

1. Challenge in the present petition is to the order dated 19.04.2024, passed by the learned Principal Judge (Family Court), Ludhiana, Camp Court at Khanna, whereby the right of the petitioner (respondent before the Family Court), to cross-examine the witnesses of the respondents (petitioners before the trial Court), was curtailed, on account of non-payment of arrears of maintenance.



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1.1 Another challenge is to the order dated 19.07.2024 passed by the learned Principal Judge (Family Court), Ludhiana, Camp Court at Khanna, whereby a condition, i.e. to clear the entire arrears has been imposed upon the petitioner while adjourning the matter to 30.08.2024.

2. Keeping in view the facts and circumstances of the present case, issuance of notice to the respondents is dispensed with since it would delay the proceedings before the Family Court, in case notice is issued.

3. At the outset, learned counsel for the petitioner submits that the petitioner undertakes to deposit a sum of ₹30,000/- in the Family Court, Ludhiana, Camp Court at Khanna, within 7 days and the remaining arrears will be cleared in four monthly installments which shall be paid before the date of 10th of each month. The first installment of the remaining amount would be paid before 10.11.2024.

4. In view of the aforesaid undertaking given by learned counsel for the petitioner, without commenting anything on the actual merits of the case, the orders dated 19.04.2024 and 19.07.2024 passed by the learned Principal Judge (Family Court), Ludhiana, Camp Court at Khanna, are set aside, subject to the condition that the petitioner shall make the payment in view of the aforesaid undertaking given in Court today. In the event of petitioner's making payment as per aforesaid undertaking, he shall be granted one opportunity to cross-examine the witnesses of the respondents before the Family Court.

5. However, it is made clear that if any averments made in the present petition are found to be false or wrong, the respondents would be at



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liberty to file an appropriate petition for recalling of this order, within a period of one month from today.

- 6. The petition stands disposed of accordingly.
- 7. A copy of this order be given to learned counsel for the petitioner under the signatures of the Bench Secretary of this Court.
- 8. Pending miscellaneous application(s), if any, shall also stand disposed of.

August 30, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No