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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 222/2023, CRL.M.A. 927/2023 and
CRL.M.A. 19358/2023
SHRI AVHSESH KUMAR PUNDIRPetitioner
Through: Mr.Arpit Sharma and Ms.Niharika
Ahluwalia, Advocates

versus

SMT. RAJNI KUMARI & ORS.Respondents
Through: Respondent No.1 through V.C.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
20.09.2024

1. By way of present petition, the petitioner seeks to assail the order dated 21.01.2022 passed in Complaint Case No.228/2019 titled "Smt. Rajni Kumari & Ors. vs. Sh. Avhsesh Kumar Pundir", initiated by the respondent seeking maintenance under Section 125 Cr.P.C.
2. Apparently, the impugned order relates to the grant of only ad-interim maintenance. Concededly, the interim maintenance application is still pending consideration.
3. A perusal of the proceedings before this Court would show that on 13.01.2023 while noting the submissions, the Court had directed the petitioner as an interim measure to pay an amount Rs.6,000/- per month to the respondents and clear the arrears within four months. The petitioner is stated to be working as a Home Guard with Delhi Police on a daily wage basis. Respondent No.1 has joined the proceedings through V.C. and submits that the petitioner complied with the said order only for one or two



months and by now substantial arrears have accrued.

4. Keeping in view the above and in light of the fact that the impugned order is only qua the ad-interim maintenance and the application for interim maintenance is still pending before the learned Trial Court, no interference is required in the impugned order. Consequently, the petition is dismissed alongwith the pending applications.

5. However, it is clarified that this Court has not expressed any opinion with regard to the quantum of maintenance, and that in case at the time of disposal of the maintenance petition, the Trial Court comes to the conclusion that the respondent is entitled to lesser or higher maintenance, it would be at liberty to grant such adjustments of the arrears either way.

MANOJ KUMAR OHRI, J

SEPTEMBER 20, 2024

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