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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1403/2023, CRL.M.A. 14328/2024, CRL.M.A.
14329/2024

RAJESH BHARDWAJ Petitioner
Through: Mr. Saurav Singh, Advocate.

versus

MEENAKSHI SHARMA Respondent
Through: Ms. Jaspreet Kaur, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
09.05.2024

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1. By way of present petition filed under Article 227 of the Constitution of India read with Section 482 Cr.P.C., the petitioner seeks to assail the order dated 13.01.2023 passed by Ld. M.M. (Mahila Court-02), North District, New Delhi in Complaint Case No. 2371/2019, vide which the petitioner has been directed to pay interim maintenance @ Rs.15,000/- per month towards maintenance of the respondent as well as the two minor daughters.
2. Petitioner claims that the amount of Rs.15,000/- has been directed to be paid by the impugned order in spite of the fact that petitioner, in his income affidavit, has shown his earning to be @ Rs.10,000/- per month.
3. Learned counsel for the respondent, however, contends that the petitioner has neither paid the interim maintenance nor the school fee of the minor daughters.
4. A perusal of the impugned order would show that Ld. M.M., while



passing the impugned order, examined the petitioner's bank statement which revealed that prior to filing of the petition, there were credit entries on monthly basis, which were higher than the current monthly income shown by the petitioner in his income affidavit.

5. Considering the fact that the interim maintenance granted by the Ld. M.M. is not only for the respondent but also for the two minor daughters who are aged about 4 and 6 years and the further fact that till date the education expenses are being borne by the respondent, I find no ground to interfere with the impugned order. Consequently, the petition is dismissed alongwith miscellaneous applications.

6. Needless to state that in case at the time of conclusion of trial, the Trial Court comes to a conclusion that any higher or lesser amount is to be given, the Trial Court shall be at liberty to grant appropriate adjustment.

MANOJ KUMAR OHRI, J

MAY 9, 2024

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