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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 527/2024**

SIDDHARTH VERMA

..... Petitioner

Through: Mr. Rajan Kumar Prasad
& Ms. Prerna Yadav,
Advs. (through VC)

versus

MAHIMA SAHNI

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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23.04.2024

CRL.M.A. 11866/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.REV.P. 527/2024 & CRL.M.A. 11865/2024

3. The present petition is filed under Sections 397/401 of the Code of Criminal Procedure, 1973 ('CrPC'), challenging the order dated 22.09.2023 passed by the learned Family Court, Saket, in M No. 234/22, titled as *Mahima Sahni & Anr. v. Siddhartha Verma* (hereafter '**the impugned order**').
4. The learned Family Court, by the impugned order, has awarded *ad interim* maintenance for a sum of ₹5,000/- to the respondent and ₹5,000/- to the minor child.
5. The learned Trial Court noted that the respondent is undisputedly earning a sum of ₹40,000/- per month and awarded maintenance for a sum of ₹10,000/- (₹5,000/- to the respondent/ wife and ₹5,000/- to the minor child).
6. The learned counsel for the petitioner submits that the impugned order has been passed without considering that the



respondent in earning a substantial amount of money and does not require any maintenance.

7. It is not disputed that the impugned order is an *ad interim* order. The revision petition under Sections 397/401 of the CrPC, challenging the *ad interim* order is not maintainable. An application for interim maintenance is listed for arguments before the learned Family Court and any sum which is paid by the petitioner would be adjusted from the interim maintenance that may be awarded by the learned Trial Court after hearing the parties.

8. In view of the above, this Court finds no merit in the present petition and the same is dismissed.

9. It is made clear that this Court has not made any observations on the merits of the dispute and the petitioner is at liberty to raise all arguments before the learned Trial Court at the time of arguments on the application for interim maintenance.

AMIT MAHAJAN, J

APRIL 23, 2024

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