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

+ **CRL.M.C. 4728/2024**

JAGMEET CHOPRA

..... Petitioner

Through: Mr.Nitin Saluja, Mr.Harsh
Gattani, Ms.Asmita Narula &
Mr.Ramandeep Bawa, Advs.

versus

BASANT SAWHNEY

..... Respondent

Through: Ms.Seema Seth, Ms.Muskaan
Deswal & Mr.Satish Panchal,
Advs. along with respondent in
person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **31.05.2024**

CRL.M.A. 17646/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 4728/2024 & CRL.M.A. 17645/2024

2. This petition has been filed under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), challenging the order dated 04.04.2024 (hereinafter referred to as the 'Impugned Order') passed by the learned Additional Sessions Judge-04, Patiala House Courts, New Delhi (hereinafter referred to as the 'ASJ') in CA No. 62/2024, titled as *Jagmeet Chopra v. Basant Sawhney*; and CA No.70/2024, titled as *Basant Sawhney v. Jagmeet Chopra*, the cross appeals which have been filed by the parties herein against the order dated 29.01.2024 passed by the learned Mahila Court-01, Patiala House Courts, New Delhi (hereinafter referred to as the 'Trial court') in CC



No. 248/2022, titled as ***Basant Sawhney v. Jagmeet Chopra and Ors.***

3. The above Complaint has been filed by the respondent under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (in short, 'DV Act'), being CT Case No.1392/2022, titled as ***Basant Sawhney v. Jagmeet Chopra & Ors.,*** wherein on an application under Section 23 of the DV Act, the learned Trial Court, vide its order dated 29.01.2024, directed the petitioner herein to pay monthly *interim* maintenance of a sum of Rs.50,000/- to the respondent for the maintenance of the child born from the wedlock, who is in the custody of the respondent, and for the household expenses, medical expenses, etc.

4. Being aggrieved of the said order, both the parties have challenged the same in the abovementioned appeals under Section 29 of the DV Act.

5. The learned Additional Sessions Judge, in the Impugned Order records that the arguments have been heard in part, and further held that no ground for stay of the order dated 29.01.2024 has been made out.

6. I am informed that the appeals are now listed for final hearing on 18.07.2024.

7. The learned counsel for the respondent submits that, in case, the petitioner pays the *interim* maintenance of Rs.50,000/- during the pendency of the appeals, the respondent would not press her execution application for claiming the arrears. The learned counsel for the petitioner agrees to the above interim arrangement.

8. In view of the above, the present petition is disposed of



directing the petitioner to continue to pay the *interim* maintenance of Rs.50,000/- to the respondent during the pendency of the appeals before the learned Additional Sessions Judge. The learned Additional Sessions Judge is requested not to adjourn the hearing of the appeals on the date fixed and to proceed with the same and adjudicate upon the same expeditiously. In the meantime, the respondent shall not press for the arrears of maintenance.

9. It is made clear that the present arrangement is being arrived at without prejudice to the rights and contentions of either of the parties.

NAVIN CHAWLA, J

MAY 31, 2024/rv/ss

Click here to check corrigendum, if any