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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 6643/2023, CRL.M.A. 24888/2023, CRL.M.A. 24889/2023, CRL.M.A. 24890/2023 & CRL.M.A. 10851/2024

MOHD FAIZAN

..... Petitioner

Through: Mr. Manish Verma, Advocate.
versus

ZAINAB PRAVEEN AND ORS

..... Respondent

Through: Mr. Nawal Kishore Jha, APP for the
State with Insp. Balmukund Rai, P.S.
Chandni Mahal.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.05.2024

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1. By way of amended petition filed under Section 482 Cr.P.C., the petitioner seeks to assail the orders dated 27.04.2023 and 10.07.2023 passed by the learned Judge, Family Court-I, Shahdara District, Karkadooma Courts, Delhi in the MT Case No. 24/2022 titled as 'Zainab Praveen & Anr. vs Mohd. Faizan'.
2. The present case emanates from proceedings filed by the respondent against the petitioner under Section 125 Cr.P.C. During the course of these proceedings, vide order dated 27.04.2023, the petitioner was directed to pay Rs.1,00,000/- to the respondent on ad-interim basis and it was further clarified that the said amount would be subject to outcome of the interim application filed. Further, vide order dated 10.07.2023, the court only directed petitioner to file his affidavit of income and assets alongwith supporting documents for the last three years before the next date of



hearing.

3. Learned counsel for the petitioner contends that the impugned orders have been passed in a mechanical manner, without due consideration of the facts including the financial condition of the petitioner. It is further alleged that the impugned orders have been passed without providing him appropriate opportunity to lead evidence.

4. A perusal of the said order would show that the same relate to grant of ad-interim maintenance and considering its nature, the petition is disposed of with the direction that the concerned Family Court shall make an endeavour to dispose of the application for interim maintenance at the earliest.

5. However, considering that the impugned orders relates only to interim maintenance, it is observed that if at the conclusion of hearing, the Trial Court is of the view that any higher or lesser maintenance is to be granted, it shall be at liberty to grant necessary adjustments.

MANOJ KUMAR OHRI, J

MAY 9, 2024/ss