



CRR(F)-379-2025

-1-

116

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR(F)-379-2025

Date of Decision:- 20.03.2025

Sachin

...Petitioner

Versus

Anita Rani

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Lekh Raj Sharma, Advocate
for the petitioner.

AMARJOT BHATTI, J. (Oral)

1. Petitioner Sachin has filed criminal revision against impugned judgment dated 04.03.2025 passed in learned Additional Principal Judge, Family Court, Panipat, in MNT No. 622 of 2020 dated 06.07.2020, case titled "Anita Rani Vs. Sachin" whereby, present petitioner/husband has been directed to pay maintenance of Rs. 5,000/- per month to respondent/wife, without proper appreciation of the facts of present case.

2. As per the brief facts, marriage of petitioner Sachin took place with Anita Rani (petitioner in main case) on 21.07.2018 at Panipat. Matrimonial dispute started between the parties. It is alleged that Sachin (respondent in main case) with the help of his brother Sandeep created fake Facebook ID and started uploading photographs of petitioner Anita Rani and she also started receiving calls from unknown persons regarding which



FIR No. 338 dated 15.04.2020 was registered under Section 66-D of IT Act and Section 468 of IPC. Efforts were made to effect compromise but it failed. Another FIR No. 466 dated 12.06.2020 was registered under Section 323, 354, 406, 498-A, 506 and 509 of IPC. It is alleged that respondent Sachin was serving in UCO Bank, Panipat, drawing salary of Rs. 18,000/- per month plus Rs. 300/- daily expenditure. He is partner in a business of readymade garments under the name and style of M/s S.A.S. Enterprises at Raj Nagar, Panipat. In petition, his monthly income is mentioned as Rs.20,000/- per month. It was alleged that wife (petitioner in main case) had no source of income to maintain herself, thus, she claimed maintenance to the tune of Rs. 20,000/- per month along with litigation expenditure.

3. Said petition was opposed by respondent Sachin (petitioner in this case) denying all the allegations. It is denied that huge amount was spent on their marriage or wife (petitioner in main case) was tortured or harassed by him or by his family on account of demand of dowry. It is alleged that wife (petitioner in main case) had no intention to live in company of husband (respondent in main case). Other allegations are also levelled on the character of wife and it was further alleged that she also tried to commit suicide. It was claimed that both husband and wife had started living in separate portion in house but dispute continued. Respondent Sachin claimed that he and his family is involved in false FIRs. He also denied his income as claimed by wife. On the other hand, wife is earning Rs. 20,000/- per month by running a coaching centre under the name and style of Anita Coaching Centre. It was prayed that petition filed by wife (petitioner in main case) claiming maintenance may kindly be



dismissed.

4. Parties led their evidence before trial Court and after hearing arguments advanced by learned counsel(s) for both the parties, petition was allowed and husband (petitioner in this case) was directed to pay maintenance of Rs. 5,000/- per month to wife (respondent in this case). Feeling aggrieved of impugned judgment dated 04.03.2025, present revision has been filed by Sachin/husband.

5. Learned counsel representing petitioner (respondent in main case) pointed out that during the pendency of trial before Family Court, Panipat, respondent (petitioner in main case) could not lead any evidence to prove income of her husband Sachin. In fact, present petitioner/husband has studied upto 12th class and he is unemployed. On the other hand, respondent/wife is highly educated lady, practicing as an Advocate in the Courts of Panipat. It is argued that present revision has been filed only challenging the quantum of maintenance which is granted in favour of respondent/wife i.e. Rs. 5,000/- per month. Learned Family Court failed to consider that respondent herself is a well-educated lady, therefore, she can earn her own livelihood. This aspect of case has not been considered by learned Family Court, Panipat. To support his arguments, learned counsel for petitioner/husband has relied upon judgment **Supreme Court of India** in ***Criminal Appeal No. 879 of 2009 (Arising out of SLP (Crl.) No. 7503 of 2008) with SLP (Cri.) No. 7924 of 2008, decided on 28.04.2009***, case titled “**Bhushan Kumar Meen Versus Mansi Meen Allas Harpreet Kaur**”, where in para No. 6, it was observed as under :-



“6. At the same time, we cannot also shut our eyes to the fact that at present the respondent-wife is not employed or at least there is nothing on record to indicate she is employed in any gainful work. However, having regard to the qualifications that she possesses, there is no reason why she ought not to be in a position to also maintain herself in the future. Accordingly, we modify the order passed by the learned Magistrate, granting Rs. 10,000/- per month to the respondent-wife by way of interim maintenance and direct that the appellant-husband shall pay to the respondent-wife a sum of Rs. 5000/- per month, instead of Rs. 10,000/-, and all other terms and conditions, as indicated by the learned Magistrate, will continue to operate.”

On this point, learned counsel for petitioner/husband has also relied upon judgment of **Coordinate Bench** in ***CRR-F-888 of 2022(O&M) along with another connected case, decided on 31.07.2024***, case titled **“Rajat Walia Versus Pooja Walia and ors.”**.

In the light of this, it is submitted that maintenance granted in favour of respondent/wife to the tune of Rs. 5,000/- per month is towards higher side.

6. Considering the facts and circumstances of present case, no purpose would be served by issuing notice to respondent/wife and same is accordingly dispensed with.

7. I have considered the arguments advanced by learned counsel for petitioner/husband and have gone through the record carefully. Admittedly, Anita Rani is legally wedded wife of present petitioner. Their marriage took place on 21.07.2018 and on account of matrimonial dispute,



two FIRs as detailed in facts narrated in impugned judgment were also registered. Anita Rani being wife of present petitioner Sachin filed petition under Section 125 of Cr.P.C. claiming maintenance. Learned trial Court after considering testimony of Anita PW-1 and her father Babu Ram PW-2 as well as considering the testimony of husband Sachin as RW-3 and his father Kanwarpal RW-2 and other documents relied upon by them concluded that there was no documentary proof to establish profession or income of husband. As such, he was considered at par with labourer and by guess work it was assumed that petitioner/husband is expected to have earned about Rs. 15,000/- per month. It was also considered that respondent/wife is an Advocate having one and a half years practice. Therefore, considering this fact, learned Family Court, Panipat concluded that it cannot be accepted that she is earning sufficient amount to maintain herself. In the light of aforesaid factual position, petitioner/husband (respondent in main case) is directed to pay maintenance of Rs. 5,000/- per month to his wife. Admittedly, present petitioner is aged about 28 years who had studied upto 10+2. He is hale and hearty, therefore, stand taken by him that he is unemployed is not justified. He being a young man can earn his livelihood even by doing labour work. On the other hand, Anita wife is a well-educated lady. She is trying to earn her livelihood by practising as an Advocate. Since she has recently joined profession, it cannot be said that she has got sufficient income to maintain herself.

In the light of this, learned Additional Principal Judge, Family Court, Panipat granted maintenance to the tune of Rs. 5,000/- per month in favour of respondent/wife, which is neither excessive nor unjustified.



CRR(F)-379-2025

-6-

Consequently, I do not find any reason to interfere in quantum of maintenance awarded in favour of respondent/wife vide impugned judgment dated 04.03.2025 and same is accordingly, upheld. Consequently, present revision preferred by petitioner is accordingly, dismissed.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

20.03.2025
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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No