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

CRR(F)-568-2025

Date of Decision:- 13.05.2025

Dinesh

....Petitioner

Vs.

Smt Sushma and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Santosh Kumar Tripathi, Advocate
for the petitioner.

AMARJOT BHATTI, J. (Oral)

1. Petitioner Dinesh has filed criminal revision against judgment dated 17.03.2025 (wrongly mentioned) passed by learned Additional Principal Judge, Family Court, Gurugram in Maintenance Petition No. 202 of 19.05.2022, titled “Smt. Sushma & Anr. Vs. Dinesh”, whereby petition filed by respondents (petitioners in main case) under Section 125 Cr.P.C. has been allowed.
2. Learned counsel for petitioner has placed on record copy of petition under Section 125 Cr.P.C. filed by Sushma along with her minor daughter age 11 years against Dinesh – present petitioner as Annexure P-1 and copy of written statement by respondent (petitioner in this case) as Annexure P-2. Copy of impugned order dated 17.03.2025 is placed on record vide which father/present petitioner has been directed to deposit Rs.12,000/- per month as provisional maintenance qua school expenses of child from the date of filing of application and said amount will be paid before 10th of every calendar month.

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3. Perusal of aforesaid order clearly indicates that it is interlocutory order passed during the pendency of petition. It is evident from said interlocutory order that case is fixed for respondent's evidence and till date application seeking interim maintenance has not been disposed of by the trial Court. Learned counsel for respondent i.e. present petitioner was seeking adjournment and finally learned trial Court has passed impugned order dated 17.03.2025, granting interim maintenance towards the child.

Therefore, learned counsel for petitioner has wrongly mentioned impugned order as judgment. In fact, it is interlocutory order passed during the pendency of application filed by petitioners (respondents in this case) seeking interim maintenance.

4. Section 397 (2) of the Code of Criminal Procedure 1973 explicitly bars the exercise of revisional powers concerning such orders, since it does not decide the matter finally. No interference is required. Present criminal revision preferred against the said order is not maintainable and same is dismissed.

5. However, learned trial Court is directed to dispose of the application filed by wife and minor child for interim maintenance expeditiously.

6. Pending miscellaneous application, if any, shall also stands disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

13.05.2025*lalit*

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