

2025:PHHC:066639



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

Sr. No.144**CRR(F)-759-2025 (O&M)****Date of decision : 19.05.2025**

Gulneesh Singh

..... Petitioner

VERSUS

Jasmeen Kaur

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Kanwaljeet Singh Brar, Advocate, for the petitioner.

Mr. Nakul Sharma, Advocate, for the respondent.

KIRTI SINGH, J. (Oral)

1. Challenge is to the impugned order dated 09.04.2025 passed by the Presiding Officer, Family Court, Camp Court Amloh, District Fatehgarh Sahib, wherein application filed by the petitioner for issuing directions to furnish complete affidavit of the assets and liabilities of the respondent was dismissed.

2. Brief facts of the case are that marriage of the petitioner was solemnized on 01.05.2019 with respondent. After three months of her marriage, the respondent moved back to Canada to resume her studies but later returned to India on 05.01.2020. Owing to matrimonial disputes, the parties started residing separately, and a petition under Section 125 Cr.P.C. for grant of maintenance was moved by the respondent, which is pending before the learned Family Court, Camp Court, Amloh, District Fatehgarh Sahib. An application in the said petition was moved on behalf of the petitioner for directing the wife to re-file her affidavit of income, assets and liabilities of the wife with complete particulars, which was allowed.

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However, the petitioner not being satisfied with the information contained therein, moved another application for directions to the wife to file her income affidavit afresh, which was dismissed by way of the impugned order. Aggrieved by the same, the petitioner has filed the present petition.

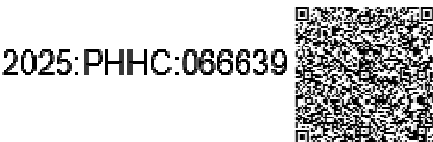
3. Learned counsel for the petitioner submits that the wife did not submit in her affidavit of income, assets and liabilities, the details of her employment at Canada, stated her address in the country and her complete accounts number, and nor did she attach her account statements therewith.

4. Notice of motion.

5. Mr. Nakul Sharma, Advocate, puts in appearance on behalf of the respondent and has opposed the petition and has submitted that the learned Family Court has rightly passed the order dated 09.04.2025. It was observed by the learned Family Court that on the application of the petitioner-husband herein, the respondent-wife had filed a second affidavit regarding assets and liabilities with complete particulars contained therein. Learned counsel submits that it is the mere averment of the petitioner that the respondent-wife is working in Canada, which is a matter of evidence, the veracity of which would be established in due course. The filing of such applications by the petitioner is a way to delay the proceedings in the petition for maintenance filed by the respondent herein.

6. Heard the rival submissions made by learned counsel for the parties.

7. At the outset, it would be apposite to mention that Section 397(2) Cr.P.C. expressly bars the exercise of revisional powers of the High Court against interlocutory orders. Even otherwise, proceedings under



Section 125 Cr.P.C. are summary in nature, which settled proposition of law was reiterated by the Hon’ble Supreme Court in the judgment passed in **Rajnesh Vs. Neha (2021) 2 SCC 324**. Adverting to the facts of the present case, it was duly recorded in the impugned order that the second affidavit that was filed by the wife qua her income, assets and liabilities was complete insofar as the essential details required therein were provided. Learned counsel for the petitioner has failed to point out any illegality or infirmity in the impugned order. The averments made herein are a matter of evidence and can be raised in due course.

8. As a fallout, the present petition stands dismissed.

(KIRTI SINGH)
JUDGE

19.05.2025
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No