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

**CRR(F)-758-2025
Date of Decision: 19.05.2025**

Amarjit Singh Bangar

..... Petitioner

Versus

Nirmandeep Kaur

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jashan Jot Singh Uppal, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present revision petition has been filed by the petitioner/husband for challenging the order dated 19.03.2025 passed by learned Additional Principal Judge, Family Court, Ludhiana vide which application filed by the respondent/wife for grant of interim maintenance has been decided and an amount of ₹6,500/- per month as interim maintenance has been fixed.

2. Learned counsel for the petitioner submitted that it is a case where the respondent/wife has filed a petition under Section 125 Cr.P.C. for the grant of maintenance and also an application for grant of interim maintenance which was allowed by way of the impugned order dated 19.03.2025 whereby an interim maintenance of ₹6,500/- per month was directed to be paid to the respondent/wife by the petitioner/husband. He further submitted that although the petitioner was earlier residing in Australia being a permanent resident but now he has come back to India and has got no source of income and the same position was also stated by him in the affidavit pertaining to the declaration of assets and liabilities before

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learned Family Court and submitted that since the petitioner is not earning anything, he is not liable to pay any interim maintenance to respondent/wife. So far as the respondent/wife is concerned, he submitted that nothing had come on record to show that the respondent/wife is having any source of income. He submitted that considering the aforesaid facts and circumstances, the impugned order by which interim maintenance has been granted is liable to be set aside.

3. I have heard the learned counsel for the petitioner.

4. It is a case where the petitioner/husband has come before this Court by filing a Revision Petition against the respondent/wife challenging the impugned order vide which an interim maintenance of ₹6,500/- per month has been granted to the respondent/wife. A perusal of the impugned order would show that the petitioner is a permanent resident of Australia and he was working as an UBER driver there. Although it has been so reflected in the aforesaid order and so stated by learned counsel for the petitioner that now the petitioner has come back from Australia and is not earning any amount but at the same time, respondent/wife is also shown to be not having any source of income. The marriage between the parties took place in the year 2023 and thereafter, the matrimonial discord took place between them.

5. The petitioner has challenged the aforesaid impugned order by filing a Revision Petition of which the scope is very limited and apart from the above, the petitioner has challenged the impugned order by which only an amount of ₹6,500/- per month as interim maintenance has been granted to the respondent/wife and a perusal of the record would show that the petitioner is a permanent resident of Australia and had stayed and worked there and the mere fact that he has now come back to India and as per the

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learned counsel for the petitioner he is not working now, would not mean that he is not liable to maintain his wife. Whatever the income of the petitioner, it can only be ascertained at the time of deciding the petition under Section 125 Cr.P.C. by adducing the evidence.

6. In view of the aforesaid facts and circumstances of the case, this Court is of the considered view that not only the impugned order does not suffer from any illegality or perversity but in the view of this Court, the present revision petition, which has been filed for challenging the impugned order by which only an amount of ₹6,500/- per month has been directed to be paid to respondent/wife tantamounts to perpetuating the litigation by the husband against the wife and is therefore a vexatious petition. By no stretch of imagination it can be said that the interim maintenance to the tune of ₹6,500/- per month so granted to the wife, who is not having any source of income, is on the higher side or that she is not entitled for the same.

6. Consequently, the present petition is hereby dismissed with ₹10,000/- (Rupees Ten Thousand Only) as costs which shall be paid by the petitioner to the respondent/wife within a period of 3 months from today. The aforesaid costs shall be deposited by the petitioner before learned Family Court, Ludhiana at the first instance within the aforesaid period and then the same shall be remitted to respondent/wife by learned Family Court. In case, the aforesaid cost is not deposited within the aforesaid period, then learned Family Court shall ensure that the same is recovered from the petitioner in accordance with law.

19.05.2025*Bhumika*

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |