



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(110)

CRR(F)-835-2025 (O&M)
Date of Decision: 29.5.2025

Kamal Kant Hasija

.....Petitioner

Versus

Geetu Hasija and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Lakshman Sharma, Advocate
for the petitioner.

KIRTI SINGH, J. (ORAL)

1. The instant petition has been filed under Section 442 of BNSS, 2023 for quashing of the order dated 20.5.2025 passed by the learned Addl. Principal Judge, Family Court Faridabad in execution case bearing No. EXE/710/2022 titled as '*Geetu Hasija Vs. Kamal Kant Hasija*' arisen out of a maintenance petition under Section 125 Cr.P.C. bearing No. 330 of 2021, whereby conditional warrant of arrest has been issued against the petitioner.

2. Learned counsel for the petitioner submits that vide order dated 25.04.2022 the learned Family Court granted the interim maintenance to the tune of Rs. 12,000/- per month each to the respondents (i.e. the wife and two minor children) totaling Rs. 36,000/- per month, from the date of filing of the petition for maintenance till the final disposal of the main petition. He further submits that though the affidavit of the petitioner dated 9.12.2021 shows his monthly income as Rs. 91,666/- and expenditure of Rs. 50,000/-. However, due to the ongoing proceedings and mental stress, the petitioner is



facing severe hardship in managing his business, which has adversely affected his earning capacity. It is further submitted that the petitioner started transferring the maintenance payments directly into the bank account of the respondent from July 2022 onwards. However, despite the above endeavour, the respondent-wife filed multiple execution petitions for enforcement of interim maintenance order dated 25.4.2022. The learned counsel further submits, that the petitioner had filed objections in the execution proceedings stating therein that he had been regularly paying interim maintenance to the respondents No. 2 and 3 and bearing all their expenses related to education, health and other necessities. Moreover, as per the payment details, the petitioner has already paid a total amount of Rs. 5,10,642/- against the liability of Rs. 4,68,000/- for the period from July 2021 to July 2022. Learned counsel submits that the petitioner is ready and willing to pay 30% of the amount of Rs. 2,16,000/-, and prays that the present petition be allowed in these terms.

3. Heard.

4. The present petition is being decided *in limine* in order to save litigation cost of the respondent and also to save the judicial time of the Court.

5. In view of the submissions made by the learned counsel the petitioner, the impugned order dated 20.5.2025 passed by the learned Addl. Principal Judge, Family Court Faridabad is set aside. The petitioner is directed to pay 30% of Rs. 2,16,000/-, within a period of two weeks from the date of this order, and the remaining amount within a further period of two months. Till then, no coercive steps shall be taken against the petitioner.

6. However, it is made clear that this order would not affect the execution proceedings pending against the petitioner before the execution



Court. In case the petitioner fails to comply with the terms of this order, the execution Court shall proceed against him in accordance with law.

7. The petition stands disposed of in the aforesaid terms.

(KIRTI SINGH)
JUDGE

May 29, 2025
Gurpreet Singh

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