



CRR(F)-1289-2024 (O&M) -1-

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-1289-2024 (O&M)

Date of Decision:- 14.07.2025

Jagdeep Sharma

...Petitioner

Versus

Sweety Sharma and another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amit Arora, Advocate
for the petitioner.

AMARJOT BHATTI, J.(Oral)

CRM-50153-2024 & CRM-25118-2025

These are the applications filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for placing on record medical document of
petitioner regarding his health problem/fitness issues as Annexure P-1 and
copy of affidavit of asset, income and liabilities of petitioner as Annexure
P-2.

For the reasons enumerated in both the applications, same are
allowed. Accompanying documents i.e. Annexures P-1 and P-2 are taken
on record, subject to all just exceptions.

CRR(F)-1289-2024 (O&M)

1. Petitioner Jagdeep Sharma has filed revision against impugned
order dated 06.09.2024 passed by learned Additional Principal Judge,
Family Court, Camp Court Indri, vide which present petitioner has been
directed to pay ₹3,000/- per month to his wife Sweety Sharma – respondent
No. 1 and ₹2,000/- per month to minor daughter 'KS' – respondent No. 2,



from the date of filing of petition alongwith litigation expenses of ₹5,500/-, which is illegal and not sustainable in the eyes of law.

2. As per the facts narrated in impugned order, marriage of petitioner Jagdeep Sharma-husband (respondent in main case) took place with Sweety Sharma-wife (petitioner No. 1 in main case) on 28.10.2020. Out of this wedlock, they have a girl child i.e. respondent No. 2 (petitioner No. 2 in main case). Wife has levelled allegations against her husband regarding physical and mental cruelty, as a result, she suffered from depression. It is further claimed that husband was working as a private teacher and also owned agricultural land, thus, earning Rs. 1 lakh per month. He willfully failed to maintain his wife and daughter. Therefore, petitioners (in main case) claimed maintenance of Rs. 50,000/- alongwith litigation expenses as detailed therein.

Present petitioner-husband (respondent in main case) contested petition by taking stand that wife had left the company of husband against the wishes of husband and his family. In reply, he claimed that he was ready to keep his wife and child with him as per his financial and social status. He further alleged that his wife is well qualified having good experience in teaching. She is earning more than Rs. 35,000/- per month by doing tuition work at her parental house. He denied his income as claimed in petition. He categorically stated that his wife is not entitled to maintenance or any litigation expenses.

3. Learned counsel representing petitioner-husband argued that interim maintenance awarded in favour of respondent No. 1-wife @ Rs.3,000/- per month and in favour of respondent No. 2-minor child @



Rs.2,000/- per month alongwith litigation expenditure of Rs. 5,500/- is highly inadequate and without justification. Status and income of petitioner has not been considered. Petitioner is unskilled labourer earning Rs. 10,000/- per month. In-fact, wife has left the matrimonial home on her own and started living with her parental family. She is well qualified lady and earned Rs. 35,000/- per month by doing teaching work. All allegations levelled against him are false and without any basis. Learned counsel representing petitioner referred to affidavit filed by petitioner Jagdeep Sharma regarding his assets and liabilities (Annexure P-2), where it is mentioned that he is 10+2 qualified and occupation is casual labourer. His monthly income is mentioned as Rs. 6,000/- per month. He has to look out his parents. Therefore, interim maintenance awarded in favour of respondents is without justification. Thus, impugned order dated 06.09.2024 may kindly be set aside by accepting present revision.

4. I have considered the facts and circumstances of present case. Present criminal revision has been filed against impugned order dated 06.09.2024 vide which application seeking interim maintenance has been disposed of. Perusal of order indicates that matrimonial dispute is going on between the parties, as a result, respondent No. 1-wife and respondent No. 2-minor child are residing separately from petitioner-husband. Allegations and counter-allegations levelled against each other, is matter of trial. Present petitioner is also facing trial under Section 498-A of IPC. Considering the income of present petitioner-husband as casual labourer, meager maintenance of Rs. 3,000/- per month has been granted in favour of wife and Rs. 2,000/- per month has been granted in favour of child, total



Rs. 5,000/- per month alongwith litigation expenses. By no stretch of imagination, it can be said that quantum of maintenance awarded in favour of wife and minor child is towards higher side. There is nothing on record to show that respondent No. 1-wife is a working lady. Rather, she has started living in her parental house alongwith her child. Present petitioner-husband cannot escape his liability to provide maintenance to his wife and minor child. From the conduct of petitioner, it appears that present criminal revision has been filed only to delay the payment of interim maintenance. Merits of case and quantum of maintenance will be finally adjudicated on the basis of evidence led by both the parties before learned Additional Principal Judge, Family Court, Camp Court Indri, District Karnal. At this stage, I do not find any illegality or irregularity committed by the trial Court while granting interim maintenance in favour of respondents vide impugned order dated 06.09.2024.

Thus, finding no merits in present criminal revision preferred by petitioner Jagdeep Sharma, same is, accordingly, dismissed.

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

14.07.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No