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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-1544-2024 (O&M)

Date of decision: 27.01.2025

SHARANJIT SINGH

...Petitioner(s)

VERSUS

KIRANJEET KAUR AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Jaideep Verma, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

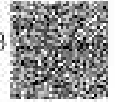
CRM-1676-2025

Prayer in this application is for placing on record the affidavits of assets and liabilities, affidavit of the petitioner and bank statement as Annexure P-4 to Annexure P-6.

For the reasons mentioned in the application, the same is allowed. Annexure P-4 to Annexure P-6 are taken on record, subject to all just exceptions.

CRR(F)-1544-2024

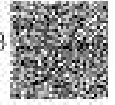
1. The present revision petition has been filed for setting aside the order dated 16.10.2024 passed by the learned Principal Judge, Family Court, Ludhiana, Camp Court at Samrala, vide which interim maintenance has been granted to the respondent No.1-wife and respondent No.2-minor son, who is of the age of 3 years.



2. Learned counsel for the petitioner submitted that it is a case where the petitioner got married with respondent No.1 on 11.09.2021 at Samrala, District Ludhiana and out of the wedlock, one son was born, who is now 3 years of age. He further submitted that thereafter, there was a matrimonial discord between the parties and respondents No.1 and 2 filed a petition under Section 125 Cr.P.C. for grant of maintenance and also for grant of interim maintenance and by way of the aforesaid order, the application for grant of interim maintenance has been decided, which has been impugned in the present petition. He further submitted that the petitioner is working in the Fire Brigade Department at Mandi Gobindgarh and he is earning only Rs.10,570/- per month and he has also placed on record statement of account of Bank of India to show that he is drawing a salary of Rs.10,974/- per month, whereas respondent No.1-wife is earning Rs.20,000/- per month but he has not been able to place on record any document to that effect. He further submitted that the learned Principal Judge, Family Court, Ludhiana, Camp Court at Samrala has granted interim maintenance to respondent No.1-wife to the tune of Rs.6,000/- per month and to respondent No.2-minor child, who is of the age of 3 years to the tune of Rs.2,000/- per month, totalling Rs.8,000/- per month, which is on the higher side and therefore, the aforesaid impugned order may be set aside and the amount of interim maintenance may be reduced since the petitioner is earning only Rs.10,974/- per month.

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

4. The petitioner has challenged the order dated 16.10.2024 passed by the learned Principal Judge, Family Court, Ludhiana, Camp Court at Samrala,



vide which interim maintenance has been granted to the respondents. Respondent No.1-wife has been granted interim maintenance of Rs.6,000/- per month and respondent No.2-minor child, who is of the age of 3 years has been granted interim maintenance of Rs.2,000/- per month. The learned Principal Judge, Family Court, Ludhiana, Camp Court at Samrala while considering the aforesaid aspect of the income of the petitioner observed that the petitioner has more potential of earning because he is an able-bodied man and he is supposed to earn at least Rs.18,000/- to Rs.20,000/- per month by doing some extra work. So far as respondent No.1-wife is concerned, there was neither anything on the record to show that she was working at all and having any source of income nor the same is reflected from her affidavit.

5. After considering the aforesaid submissions made by the learned counsel for the petitioner and also perusing the aforesaid impugned order passed by the learned Principal Judge, Family Court, Ludhiana, Camp Court at Samrala, this Court is of the considered view that the challenge in the present petition is only to the grant of interim maintenance. As such, the grant of interim maintenance to a wife to the tune of Rs. 6,000/- per month cannot by any stretch of imagination considered to be on the higher side and similarly, interim maintenance for a minor child of the age of 3 years to the tune of Rs.2,000/- per month also cannot by any stretch of imagination considered to be on the higher side. It is also an admitted position that respondent No.1-wife is not working. So far as the petitioner is concerned, as of now on the record, his income is stated to be Rs.10,974/- per month but as per the allegations made by respondent No.1-wife, he is earning Rs.50,000/- per month on the basis of his



doing extra work of dairy farming and agriculture which otherwise has to be proved at the time of decision of the main petition under Section 125 Cr.P.C. but only for the purpose of grant of interim maintenance, the aforesaid amount cannot be said to be on the higher side.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

27.01.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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