



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRR-F-1599-2024(O&M)

Date of Decision: February 10, 2025

RahulPetitioner

Vs.

SapnaRespondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Naren Pratap Singh, Advocate
for the petitioner.

SUDEEPTI SHARMA J.

The present petition has been preferred against order dated 05.06.2024 passed by learned Principal Judge, Family Court, Bhiwani whereby the objections raised by the petitioner in execution petition filed by the respondent regarding the order of maintenance under Section 125 Cr.P.C have been rejected.

Learned counsel for the petitioner contends that the petitioner provided accommodation to the respondent and paid the rent which the learned Executing Court should have taken into consideration as adjustment in the amount to be paid by him, while deciding the execution petition.

I have heard learned counsel for the petitioner and perused the impugned order dated 05.06.2024.

The learned Principal Judge (Family Court), Bhiwani passed order dated 05.06.2024 in execution petition filed by the respondent under Section 125 (3) Cr.P.C for enforcement of judgment dated 06.12.2021. The learned Executing Court passed order dated 05.06.2024 in view of judgment dated 06.12.2021 rendered by learned Additional Principal Judge, Family Court, Bhiwani whereby



the respondent was awarded a sum of Rs.10,000/- per month as maintenance from the date of filing of the petition under Section 125 (3) Cr.P.C. Since, the Executing Court cannot go beyond the judgment dated 06.12.2021, therefore, the adjustment of Rs.1,48,000/- which was paid as rent of the accommodation of the respondent already paid by the petitioner to the respondent towards arrears of maintenance, has rightly been disallowed by the Executing Court.

In view of the same, I do not find any merit in the impugned order and accordingly, the present petition is dismissed.

(SUDEEPTI SHARMA)
JUDGE

February 10, 2025
Gaurav Arora

Whether speaking/non-speaking : Speaking
Whether reportable : No