



\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 2478/2025, CRL.M.A. 11086/2025 (stay)
MAYANK TOMERPetitioner

Through: Mr. Vraj R. Datar, Senior Advocate
along with Mr. Bhumit Solanki, Mr.
Abhinav Sharma and Mr. Shrikant,
Advocates.

versus

SONAL SINGH & ANR.Respondents

Through: None

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

09.04.2025

CRL.M.A.11087/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.C. 2478/2025

3. Petition under Section 482 of the Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Petitioner, Mayank Tomer against the Order dated 03.01.2025, of the learned ASJ-03, Karkardooma Court whereby the Warrants of Attachment of his salary to the tune of Rs.5,35,000/-, have been issued against the Judgment Debtor by the learned Metropolitan Magistrate, in the Execution pertaining to the Order made in the Protection of Women from Domestic Violence Act, 2005.
4. The main grievance of the learned Counsel for the Petitioner, is that



the Order of the learned Metropolitan Magistrate directs Warrants of Attachment to the tune of Rs.5,35,000/-, which is against the law as only 50% of the salary per month can be attached, pursuant to the Warrants of Attachment.

5. Submissions heard.

6. Though, there is no such direction given that Rs.5,35,000/- be realized from the Salary Account, even otherwise, it cannot be done because the salary per month is not of Rs.5,35,000/-, which can be attached. However, it is hereby clarified that the Warrants of Attachment of the salary of the Respondent shall be in accordance with law, till the arrears of Rs.5,35,000/- are realized.

7. With these clarifications, the Petition is disposed of. Pending Application also stands disposed of. The Petitioner shall be at liberty to approach the learned Metropolitan Magistrate for seeking the payment of arrears in instalments.

8. Learned counsel for the Petitioner, has also submitted that his Appeal against the Order of interim maintenance, is pending which may be expedited.

9. In view of the submissions made, the learned ASJ is directed to decide the Appeal expeditiously.

NEENA BANSAL KRISHNA, J

APRIL 9, 2025/RS