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

+ **CRL.REV.P.(MAT.) 220/2025**

RUPESH KUMAR RAI

.....Petitioner

Through: Ms. Neha Singhal and Ms.
Deepika Gowri Tyagi,
Advocates.

versus

SUPRIYA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **13.05.2025**

CRL.M.A. 14711/2025 (Exemption)

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

CRL.REV.P.(MAT.) 220/2025

3. The present petition is filed by the petitioner challenging the order dated 09.01.2025 passed by learned Principal Judge, Family Court, North District, Rohini Courts, Delhi in a petition filed by the respondent under Section 125 of the Code of Criminal Procedure, 1973. By the impugned order, the learned Principal Judge has directed the petitioner to pay interim maintenance of ₹4,000/- per month to the respondent.

4. The learned counsel for the petitioner submits that the petitioner is the sole bread earner of the family and has to take care of his widow mother and unmarried sister. She submits that the petitioner also has to pay ₹12,000/- per month towards the rent and other charges. She submits that the respondent is a

qualified teacher and has completed a diploma course of Nursery
Primary Teacher Training and is well qualified to earn her

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livelihood.

5. The relationship of the petitioner with the respondent is admitted. It is not denied that the respondent is the legally wedded wife of the petitioner. It is not disputed that the petitioner at this stage is not gainfully employed. The allegation that intentionally she has not joined any employment in order to extract money from the petitioner would be tested after the evidence is led by the parties and cannot be commented upon at this stage. However, once the relationship between the parties is not disputed, the award of ₹4,000/- per month as an interim maintenance is not on the higher side. The petitioner is at liberty to lead evidence and prove his defence during the course of trial.

6. The petitioner though has the responsibility to maintain his widow mother and unmarried sister, but also has an equal responsibility to maintain his wife.

7. I therefore find no infirmity in the impugned order passed by the learned Principal Judge.

8. The petition is accordingly dismissed.

AMIT MAHAJAN, J

MAY 13, 2025

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