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

+ CRL.REV.P.(MAT.) 362/2025, CRL.M.A. 23243/2025 (stay)
SH. VIKAS KUMAR GAURAVPetitioner

Through: Mr. Sunil Kumar, Mr. Bhim Kishore,
Ms. Jagriti Kishor, Ms. Dimple Singh
and Mr. Ajit Kumar, Advocates.

versus

PREETI BALA ANANDRespondent

Through: None

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **08.08.2025**

CRL.M.A.23244/2025 (Exemption)

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

CRL.REV.P.(MAT.) 362/2025

3. Criminal Revision Petition (MAT) under Section 397 read with Section 401 of the Code of Criminal Procedure, 1973 (Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) and Article 227 of the Constitution of India, 1950, has been filed on behalf of the Petitioner for quashing and setting-aside the Order dated 20.01.2025 in Ex.CRL. No. 274/2023 and to seek the modification of Order dated 08.07.2025 of learned Judge, Family Court, North, Rohini Courts, Delhi vide which the 2/3rd salary of the Petitioner, has been directed to be attached for recovery of arrears of maintenance.
4. It is submitted on behalf of the Petitioner that the Petition under



Section 125 Cr.PC was filed on 03.02.2022, which got decided vide Order dated 26.05.2023 directing the payment of Rs.20,000/- per month as maintenance from the date of filing of the Petition. On the date, the Petition got decided. There were arrears of Rs.8,40,000/- out of which, the Petitioner paid Rs.4,20,000/- and the First Execution got satisfied. Thereafter, there remain the arrears in the sum of Rs.4,20,000/- for which the learned Principle Judge, Family Court directed attachment of the entire salary of the Petitioner vide Order dated 20.01.2025. Thereafter, this Order has been modified on 08.07.2025 whereby it has been directed that the salary to the extent of 2/3rd be attached while remaining 1/3rd be released to the Judgment Debtor/Petitioner.

5. Learned counsel for the Petitioner submits that this Order be modified as the Petitioner is willing to pay Rs.20,000/- per month, which is the monthly maintenance in addition, to Rs.30,000/- per month to clear the arrears. It is further submitted that about Rs.2,87,000/- have already been attached by way of two months' salary of the Petitioner.

6. **Submissions heard and the record perused.**

7. Insofar as, the submissions of the Petitioner are concerned that about Rs.1,40,000/- arrears only remain and he is willing to clear the same by paying Rs.30,000/- per month towards the arrears in addition to Rs.20,000/- per month for the regular maintenance, he is at liberty to move an appropriate application before the learned Judge, Family Court, who shall consider the *bona fide* of the Petitioner in paying the maintenance and may accordingly modify the Order.

8. The Criminal Revision Petition (MAT) is disposed of accordingly. Pending Application, if any, also stands disposed of.



9. The learned Judge, Family Court will decide the Application within two months.

NEENA BANSAL KRISHNA, J

AUGUST 8, 2025/RS