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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 63/2025, CRL.M.A. 306/2025, CRL.M.A. 307/2025**
BHANU & ORS.

.....Petitioner

Through: Mr. Randhir Singh Kalkal, Advocate.
versus

DIKSHA

.....Respondent

Through:

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **09.01.2025**

CRL.M.A. 305/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CRL.M.C. 63/2025

3. A Petition under Section 482 Cr.P.C/528 of BNSS, 2023 has been filed for quashing of the Order dated 25.11.2024 passed by learned ASJ upholding the Order dated 22.04.2024 passed by learned M.M, vide which the interim maintenance in the sum of ₹20,000/- per month under Section 23 of the Protection of Women from Domestic Violence Act, 2005 has been awarded to the Respondent/wife.

4. The main grounds of challenge are that the Petitioner is working in Merchant Navy and is gainfully employed for six months in a year. His average monthly income is around ₹1 lakh per month. He has the responsibility of his aged parents aside from his own personal expenses and also the liability of paying EMI's in the sum of ₹60,000/- per month towards



the housing loan. Further, the Respondent/wife is working as TGT Teacher and is drawing independent earnings. She has no other responsibility except to take care of herself. Furthermore, the parties had remained married barely for three months.

5. It is submitted that the learned M.M in his Order dated 22.04.2024, which has been upheld by learned ASJ vide impugned Order dated 25.11.2024, is erroneous as it has been incorrectly appreciated the monthly income, responsibilities and the expenses of the Petitioner/husband. It is argued that considering that the Respondent is working and has to take care of only her expenses, the Interim Maintenance granted in the sum of ₹20,000/- per month, needs to be revised.

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

7. Though, the Respondent/wife may be a TGT teacher and employed, but indisputably her salary per month is much less than that of the Petitioner who is in Merchant Navy and is his monthly income has been assessed as Rs.1 lakh per month. The learned M.M. has rightly observed that the Petitioner being the husband has an obligation to take care and provide for the expenses of the wife.

8. Considering the average income of the Petitioner as Rs.1 lakh per month, Rs.20,000/- per month have been granted, which cannot be considered as excessive.

9. There is no merit in the present Petition, which is hereby dismissed.

NEENA BANSAL KRISHNA, J

JANUARY 9, 2025/va