

2026.PHHC.076629



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-28599 of 2026 (O&M)

Date of Decision: 20.05.2026

Rajinder Kumar @ Rinku

..... Petitioner

Versus

Kritika and others

..... Respondents

CORAM:- HON'BLE MS. JUSTICE NEERJA K. KALSON

Present: Mr. Sahil Kapoor, Advocate
for the petitioner.

NEERJA K. KALSON, J.

1. This petition has been filed under Section 482 of Cr.P.C (now Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short the 'BNSS') for setting aside order dated 27.11.2025 (Annexure P-2), passed by learned Judicial Magistrate Ist Class, Amritsar, whereby objections filed by petitioner under Section 28 of Protection of Women from Domestic Violence Act, 2005 read with Section 125(3) Cr.P.C and Order XXI Rules 2 and 58 CPC were dismissed and 1/3rd salary of the petitioner was ordered to be attached.

2. At the outset, learned counsel for the petitioner submits that till today the arrears of maintenance towards the petitioner is approximately Rs.2,95,000/-. He further submits that the petitioner is ready and willing to deposit 50% of the outstanding amount within one week from today and rest of the amount in three (03) equal monthly installments.

3. In view of the specific undertaking given by learned counsel for the petitioner, the impugned order dated 27.11.2025, is set aside to the extent of attachment of 1/3rd salary of the petitioner subject to the condition that the

petitioner deposits 50% of the outstanding amount within one week from today and rest of the amount in three (03) equal monthly installments.

4. It is also clarified that in case the petitioner fails to honour the undertaking given by him, the present petition would be deemed to have been dismissed and the impugned order would be revived.

5. The present petition stands disposed of in abovesaid terms.

6. Nothing stated herein shall be construed as an expression of opinion on the merits of case.

7. Pending application(s), if any, stand(s), disposed of accordingly.

(NEERJA K. KALSON)
JUDGE

20.05.2026

s.khan/shweta

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No