



CRR(F)-824-2025

-1-

114

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRR(F)-824-2025
Date of Decision: 28.05.2025**

Amit Kumar

..... Petitioner

Versus

Shushma Sharma

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Anand Vardhan Khanna, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present revision petition has been filed by the petitioner/husband for challenging the order dated 25.02.2025 passed by learned Principal Judge, Family Court, Rewari vide which application filed by the respondent/wife for grant of interim maintenance has been decided and an amount of ₹7,000/- per month as interim maintenance has been fixed.

2. Learned counsel for the petitioner submitted that the respondent is a legally wedded wife of the petitioner and the petitioner is working as a Constable in Haryana Police and his income out of his salary is ₹47,000/- per month and as per the affidavit filed by respondent/wife before the learned Family Court, she has stated that she has got no source of income which has also come up in the impugned order. He further submitted that respondent/wife is not a resident of Rewari whereas she has shown her to be residing at Rewari and therefore, the order passed by learned Family Court, Rewari is without jurisdiction and on this ground also, the impugned order is



CRR(F)-824-2025

-2-

liable to be set aside.

3. I have heard the learned counsel for the petitioner.

4. One of the arguments which has been raised by learned counsel for the petitioner is with regard to territorial jurisdiction. A perusal of the Memo of Parties of the petition under Section 125 Cr.P.C. filed before the learned Family Judge, Rewari would show that it has been so stated by the respondent/wife that her permanent address is at Gurgaon but she is presently residing at Bhakti Nagar, District Rewari in Haryana. However, it is the case of the learned counsel for the petitioner that she does not reside at Rewari but resides at Rajasthan.

5. The argument raised by learned counsel for the petitioner with regard to the territorial jurisdiction deserves to be rejected because of two reasons. Firstly, the impugned order is only an order by which an interim maintenance has been granted whereas the main petition under Section 125 Cr.P.C. is still pending and with regard to the address of the respondent/wife, the same can be adduced in the form of an evidence by the petitioner if any at an appropriate stage, but the claim of the wife at least for grant of interim maintenance cannot be thrown away only because of the aforesaid ground of jurisdiction, because the aim, objective and rationale for grant of interim maintenance is to provide immediate financial relief during the interregnum period. Once the wife has so stated that her address is at Rewari, interim maintenance cannot be declined only by a mere bald allegation of the petitioner that she is not residing at that address because the same has to be proved at the time of evidence and that stage is yet to come.

6. Secondly and very interestingly, in the Memo of Parties of the present petition itself which the petitioner himself has filed, he has also



CRR(F)-824-2025

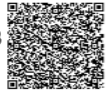
-3-

stated the address of the respondent to be residing at Rewari which is the same address. Therefore, the petitioner cannot blow hot and cold at the same breath by taking up such kind of frivolous plea of territorial jurisdiction.

7. So far as the grant of interim maintenance is concerned, the present is a Revision Petition of which the scope is very limited and that too when by way of the impugned order, only an interim maintenance to the tune of ₹7,000/- per month has been granted to the respondent/wife. Admittedly, the petitioner is working as a Constable in Haryana Police and his income out of the salary is ₹47,000/- per month and the respondent/wife has no source of income at all and therefore, by no stretch of imagination, it can be said that the impugned order is perverse or erroneous or the aforesaid quantum of interim maintenance is on the higher side. Rather this Court is of the considered view that the present revision petition which has been filed by the petitioner tantamounts to perpetuating litigation by the husband against the wife without any cogent reason and therefore the present is a vexatious petition.

8. Consequently, the present petition is hereby dismissed with ₹25,000/- (Rupees Twenty Five Thousand Only) as costs. The petitioner is hereby directed to deposit the aforesaid costs before the learned Family Court, Rewari within a period of 3 months from today. On his deposit of the same, learned Family Court, Rewari shall transmit the same to the respondent/wife by way of a demand draft in her name.

9. In case the aforesaid amount is not deposited by the petitioner within the aforesaid period, then learned Family Court, Rewari is hereby directed to ensure that the aforesaid amount is deposited by the petitioner and to recover the same from him in accordance with law including recovery



CRR(F)-824-2025

-4-

by way of arrears of land revenue or from his salary.

9. A copy of this order be sent to learned Family Court, Rewari.

28.05.2025

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No