



105            **IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH**

**CRR(F)-1166-2025 (O&M)**

**Reserved on: 12.08.2025**

**Pronounced on: 13.08.2025**

**SANDEEP**

**...Revisionist**

**V/S**

**SUMAN**

**...Respondent**

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Som Nath Saini, Advocate  
for the petitioner.

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**SHALINI SINGH NAGPAL J. (Oral)**

1.            The revision petition has been filed challenging order dated 09.05.2025 passed by learned Principal Judge (Family Court), Rohtak, vide which interim maintenance of Rs. 5,000/- per month has been awarded to respondent-wife w.e.f. the date of the application along with litigation expenses to the tune of Rs. 5,500/-.

2.            The only argument raised by learned for the revisionist is that the revisionist was a student of Ved Shastra in Gurukul, fully dependent upon his parents and was unable to maintain his wife i.e. respondent herein. It has also been argued that respondent-wife was married with the revisionist on 09.10.2020 and lived in the matrimonial home only for 10 days, after which she left his company without any sufficient cause. It has further been submitted that the award of Rs. 5,000/- per month as interim maintenance to the respondent-wife, deserved to be set aside, considering the financial status of the revisionist.

3.            The facts, emanating from the record, are that the parties were married on 09.10.2020 as per Hindu Rites and Ceremonies at village Bohar, Tehsil and District Rohtak. Respondent-wife filed an application



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under Section 125 Cr.P.C. seeking maintenance alleging therein that she was harassed and humiliated for bringing insufficient dowry, subjected to domestic violence and ousted from the matrimonial home, on which account, she went to her parental home on 21.10.2020.

4. In the reply filed, the revisionist-husband averred that marriage of the parties was a simple one and no dowry was demanded. In fact, behaviour of the respondent-wife was cruel, she did not perform her marital obligations and lived in the matrimonial home only for 12 days, after which she left. She also took away ornaments and valuable clothes and despite efforts, she failed to return to matrimonial house. It was further claimed that the respondent-wife was educated and working in *Saksham* Scheme.

5. Learned Principal Judge (Family Court) Rohtak, relying upon the Apex Court judgment in *Sunita Kachwaha Vs. Anil Kachwaha (SC) 2014(4) RCR (Criminal)*, observed that proceedings under Section 125 Cr.P.C. are summary in nature and rival allegations were yet to be proved. Considering the affidavit filed by the respective parties, it was observed that though the revisionist-husband was student of Ved Shastra in Gurukul, he was an able bodied person, capable of earning. Therefore, he could not be allowed to escape the liability to pay maintenance to the respondent-wife.

5. Considering the D.C. wages prevailing at the time for a daily wager and presuming the earning capacity of the revisionist-husband, award of Rs. 5,000/- per month, as interim maintenance to the wife cannot be said to be excessive or uncalled for. Law is fairly well settled

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that even if the husband has renounced the world, but is able bodied and capable of earning, he cannot be absolved of the elementary duty to maintain his wife and he would still be amenable to the provisions of Section 125 Cr.P.C. Allegations and counter allegations would be considered by the Court concerned during the trial of the case. There was nothing on record to prove income earned by the respondent-wife. Notwithstanding the fact that the revisionist-husband has opted to get enrolled in a Gurukul to pursue studies, it is his natural, fundamental and statutory duty to maintain his wife, who is unable to maintain herself. The sum awarded is barely sufficient to keep body and soul together. As such, no ground is made out to interfere in the order dated 09.05.2025 passed by learned Principal Judge (Family Court), Rohtak.

6. The revision petition is devoid of any merit and the same is hereby dismissed.

**(SHALINI SINGH NAGPAL)**  
**JUDGE**

Reserved on: 12.08.2025

Pronounced on: 13.08.2025

*Ajay Goswami*

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*