



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRR(F) No.1203 of 2025(O&M)

Date of Order:21.08.2025

Gurpreet Singh @ Sonu @ Gurpreet Singh Sabharwal

.Petitioner

Versus

Kulbir Kaur and another

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Naveen Jhajholia, Advocate  
for the petitioner.

SHALINI SINGH NAGPAL, JUDGE

CRM-32790 of 2025

1. For the reasons mentioned in the application, which is supported by an affidavit, the delay of 115 days in filing the revision petition is condoned.

2. CM stands disposed of.

CRR(F) No.1203 of 2025

3. Order dated 15.01.2025, of learned Principal Judge, Family Court, Patiala, has been challenged in this revision petition. Vide impugned order, learned Principal Judge, Family Court, awarded a sum of Rs.3,000/- per month to respondent no.1-wife and Rs.3,000/- per month to respondent no.2, 11 years old child as interim maintenance from the date of the application besides Rs.10,000/- towards litigation expenses.

4. Main thrust of the arguments advanced by learned counsel for the petitioner is that the respondent, who filed the application under Section 125 Cr.P.C. for interim maintenance, withheld material evidence from the



court regarding her own income. In fact, she was running a Bakery, earning well and could well support herself and the minor daughter. These facts were cleverly withheld from the Court and on that sole ground, the order of maintenance deserves to be set aside. Petitioner was a yoga and mediation instructor but had no income as he was suffering from various ailments.

5. The parties are husband and wife, they have two children. The elder daughter is residing with the petitioner and younger one with respondent no.1. While considering the application for interim maintenance, learned Principal Judge, Family Court, Patiala, has relied upon affidavit of the petitioner, wherein he conceded that he was earning Rs.16,000/- per month as meditation consultant. Record of the case shows that the petitioner enjoys good status in life. He was in possession of two flats in Delhi, which, though, purchased in the name of respondent no.1, she was not claiming the right over them. This is so observed in the impugned order. Plea raised by the petitioner before learned Principal Judge, Family Court that respondent was capable of supporting herself and was earning Rs.2,90,134/- annually as reflected in the income tax returns for the year 2014-2015, was rightly repelled on the ground that at the time of filing of the petition, she was not engaged in any business and had no income. It has correctly been noticed that even if the respondent was engaged in some activity to meet her expenses, it could not be a ground to deny her maintenance. It is not the intention of law that an estranged wife should sit idle and starve herself till the competent court passes an order for maintenance, which may take years together. Consistent view of the courts is that even if the wife is earning it cannot operate as bar and she will still be



entitled to maintenance. In the case in hand, there was no material before learned Principal Judge, Family Court to hold that at the time of filing the petition, respondent was an earning hand. Rather, on the basis of material on record, it was held that income of the petitioner was between Rs.40,000/- to Rs.50,000/- per month. Yet, learned Principal Judge, Family Court, taking a conservative view, ordered interim maintenance of only Rs.3,000/- per month to respondent no.1 and Rs.3,000/- to respondent no.2. Considering the quantum of maintenance assessed, there is no warrant for interference by this Court. Plea of the petitioner that he was a yoga instructor and was not earning anything on account of various ailments, does not appear to be genuine nor was raised before learned Principal Judge, Family Court.

6. There is no illegality or perversity in the order assessing maintenance. The order under challenge does not call for interference.

7. Dismissed.

8. All the pending miscellaneous applications, if any, stand disposed of.

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

**21<sup>st</sup> August, 2025**

**nt**

**Whether speaking/reasoned : Yes/No**

**Whether reportable : Yes/No**