



115(2)

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

CRR(F)-777-2025 (O&M)

Date of Decision:- 23.05.2025

Praveen Jain

....Petitioner

VERSUS

Swati Mangla

....Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Akash Vashisth, Advocate
for the petitioner.

AMARJOT BHATTI, J. (Oral)

1. Petitioner Praveen Jain has filed criminal revision against impugned order dated 26.03.2025 passed by learned Additional Principal Judge, Family Court, Faridabad, whereby his defence was struck off in case MNT125 No. 299 of 2024, titled "Swati Mangla Vs. Praveen Jain", with prayer that said order is against the law and facts available on record, therefore, same is liable to be set aside/modified.

2. Learned counsel for petitioner pointed out that respondent-wife filed petition under Section 125 Cr.P.C. (Annexure P-1) which is pending in the Court of learned Additional Principal Judge, Family Court, Faridabad. Petitioner had requested for adjournment for filing of his written reply, but due to certain reasons, his counsel could not file written reply and his defence was struck off vide impugned order dated 26.03.2025. Now, the case is pending for petitioner's evidence. Material rights of petitioner are involved. Therefore, impugned order dated 26.03.2025 passed by learned Additional Principal Judge, Family Court, Faridabad may kindly be set aside and he may be allowed to file his written reply and defend his case as per law.



Learned counsel for petitioner has annexed all material documents necessary for disposal of present criminal revision. No purpose would be served by giving notice to respondent, rather it would lead to delay in proceedings before learned Additional Principal Judge, Family Court, Faridabad, where the case is pending.

3. Perusal of record shows that petition under Section 125 Cr.P.C. was filed on 30.05.2024 and present petitioner had put his appearance on the next date i.e. 28.08.2024. All *zimni* orders are annexed as Annexure P-2. Said *zimni* orders indicate that present petitioner-husband was given as many as seven effective dates i.e. 14.10.2024, 25.10.2024, 08.11.2024, 10.01.2025, 10.02.2025, 21.02.2025 and 11.03.2025 for filing of his written reply, cost imposed upon him, reply to application for interim maintenance as well as for filing of affidavit regarding his income and assets. Aforesaid conduct of petitioner-husband clearly indicates that he did not take proceedings pending before learned Additional Principal Judge, Family Court, Faridabad seriously. Despite given ample opportunity, he did not comply the orders of Court. Therefore, I do not find any illegality or irregularity committed by the trial Court by passing impugned order dated 26.03.2025. But at the same time, it cannot be ignored that case is at initial stage and present petitioner-husband will not be able to present his case in a proper manner. Therefore, present respondent-wife can be compensated by imposing cost upon petitioner-husband. It will be in the interest of justice that case is disposed of on the basis of evidence led by both the parties.



In the light of this, impugned order dated 26.03.2025 passed by learned Additional Principal Judge, Family Court, Faridabad is, accordingly, set aside subject to payment of cost of ₹75,000/-, to be paid to respondent-wife before the trial Court and with further undertaking that petitioner-husband will not seek unnecessary adjournments.

With this observation, present criminal revision stands disposed of.

4. Pending miscellaneous application, if any, shall also stands disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

23.05.2025

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No