

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

2025 PHHC:105015



**CR-5408-2025 (O&M)  
DATE OF DECISION : 12.08.2025**

**VISHAL SAHNI** **... PETITIONER**  
**ASHU SAHNI AND OTHERS** **... RESPONDENTS**  
**V/S**

**CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. R.S.Bajaj, Advocate for the petitioner.

\* \* \*

**PARMOD GOYAL, J. (ORAL)**

The present revision petition under Article 227 of the Constitution of India is for setting aside the order dated 16.07.2025 (Annexure P-3) passed by the learned Addl. Principal Judge, Family Court, Ludhiana whereby application filed by the petitioner for dismissal of execution application has been dismissed.

2. In the present case, the sole grouse against the impugned order raised on behalf of the petitioner is that the Executing Court ought to have taken finding of Courts in petition under Section 125 Cr.P.C. whereby maintenance was disallowed to wife on the ground that she was living in adultery.

3. However, the subsequent orders passed in the proceedings under Section 125 Cr.P.C. cannot be read as part of orders passed under Section 24 of Hindu Marriage Act by the Court during the pendency of petition for restitution of conjugal rights.

3. Admittedly, maintenance was ordered under Section 24 of Hindu Marriage Act during the pendency of petition under Section 9, which

as per petitioner himself stands disposed of and no appeal against the said order is pending.

4. In these circumstances, the Executing Court which cannot go beyond orders passed by the Family Court has rightly declined the claim of the petitioner that he be absolved to pay maintenance under Section 24 of Hindu Marriage Act on the basis of findings in petition under Section 125 Cr.P.C. Consequently, no ground for interference is made out. Petition being devoid of merit is hereby dismissed.

5. Pending miscellaneous application(s), if any, shall also stand disposed of.

**12.08.2025**

Janki

**(PARMOD GOYAL)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No