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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010022592026

+ **CRL.M.C. 660/2026**

BIMAL JHA

.....Petitioner

Through: Ms. Amrita Jaiswal, Advocate.

versus

SNEHA JHA & ANR.

.....Respondent

Through: Mr. Vikram Aggarwal and Mr.
Pramod Tyagi, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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24.08.2026

CRL.M.A. 2611/2026 (for directions) & CRL.M.A. 2612/2026 (seeking ex-parte ad interim stay) & CRL.M.A. 20507/2026 (seeking stay of the impugned order dated 15.12.2025)

1. Respondent No.1 herein i.e. Ms. Sneha Jha had filed a petition under Section 125 Cr.P.C. against her husband seeking interim maintenance.
2. The application seeking interim maintenance has been decided by the learned Trial Court on 15.12.2025, with the direction to her husband (petitioner herein) to pay a sum of Rs.40,000/- per month as interim maintenance (Rs.20,000/- to his wife and Rs.20,000/- to his minor daughter). It is also directed that the amount, if already paid towards ad-interim maintenance, would be liable to be adjusted and that the arrears be cleared within a period of six months.
3. Learned counsel for the petitioner submits that the *income affidavit* could not be filed by the petitioner-husband before the learned Judge,

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Family Court and despite the fact that a request was made to the learned Judge, Family Court that it would be filed during the course of the day, the learned Judge refused to grant any indulgence to him and, therefore, the abovesaid order dated 15.12.2025 is virtually *ex-parte* in nature as it does not consider the actual income and other liabilities of the petitioner-husband.

4. Learned counsel for the respondent-wife has joined the proceedings through *video-conferencing* and during course of the arguments, when asked, he submitted that, without prejudice to his rights and contentions, he would have no objection if one last and final opportunity is granted to husband to place on record the *updated income affidavit* before the learned Judge Family Court and that he would have also no objection if the learned Judge Family Court re-consider the application seeking interim maintenance. He, however, submits that let some additional cost be imposed upon the petitioner and the request be also made to the learned Trial Court to dispose of the abovesaid application in a time-bound manner as the petition was filed way back in the year 2021. He also submits that it be also clarified that the petitioner-husband would not be entitled to seek any unnecessary adjournment.

5. Learned counsel for the petitioner-husband undertakes to extend requisite cooperation and assistance to the learned Trial Court in this regard.

6. The case is, reportedly, fixed for tomorrow before the learned Judge Family Court.

7. Keeping in mind the overall facts of the case, in the interest of justice and also in view of the gracious concession given by learned counsel for the respondent, the present petition is disposed of with the following directions:-

- i. Mr. Bimal Jha would file his latest *income affidavit* before the



learned Judge Family Court by tomorrow, with advance copy to the opposite side during the course of the day.

ii. Once such affidavit is placed on record, the learned Trial Court shall hear the arguments afresh on the interim maintenance application.

iii. Needless to say, if in view of the abovesaid *income affidavit* of the petitioner, the Court finds any necessity of having a response from his wife, it would be at liberty to grant another opportunity to wife to file any additional affidavit on record.

iv. Learned Trial Court would make best endeavour to decide the abovesaid application, as expeditiously as possible and preferably within the period of six weeks.

v. The petitioner herein would extend his best cooperation and assistance to the learned Trial Court to achieve the abovesaid time-bound expeditious disposal.

vi. For causing delay in the matter, the petitioner is imposed with additional cost of Rs.20,000/- which shall be paid tomorrow itself before the learned Trial Court to the opposite side.

8. The present petition stands disposed of in aforesaid terms.

9. Needless to say, in view of the above, the impugned order dated 15.12.2025 is set aside. However, it is clarified that the order has been set aside, merely, for the technical reason as the *income affidavit* of the husband was not on record. Learned Trial Court would decide the matter afresh, in accordance with law without being prejudiced by any of the observation appearing in the present order.

10. A copy of this order be given *dasti* under the signatures of Court



Master.

11. A copy of this order be sent to the learned Trial Court for information and compliance.

MANOJ JAIN, J

AUGUST 24, 2026/ss/sa



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

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