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

+ **CRL.REV.P.(MAT.) 305/2025**

JASKIRAT SINGH SETHI

.....Petitioner

Through: Mr. Mayank Arora, Mr. Saksham Tyagi, Mr. Amit Lakhani and Mr. Jai Allagh, Advocates with petitioner in person (*through VC*)

versus

PEKHNA SETHI

.....Respondent

Through: Mr. Udit Mehra and Mr. Aditya Kumbhaj, Advocates

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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20.05.2026

CRL.M.A. 19474/2025 (stay)

1. In furtherance of arguments heard at length on 16.05.2026, I have heard today both the parties for about half an hour. Further arguments have to be deferred due to paucity of time and pending board.
2. Today, learned counsel for petitioner submitted that going by what was observed on 16.05.2026, the total credit entries into the bank account of respondent-wife are about Rs. 4,66,000/- whereas her income tax returns reflects her annual income as Rs. 19,20,000/- and the same also records her occupation as Interior Design Consultant. According to the petitioner, the balance amount of Rs. 15,00,000/- approximately would be her earnings. It is also contended by learned counsel for petitioner that since the respondent in her income affidavit filed before the trial court stated that her income is nil and for making such false statement, the maintenance petition itself



ought to have been dismissed.

3. Learned counsel for petitioner also submits that as demonstrated by him on last date, the learned trial court was misled by the present respondent into believing that the present petitioner is one of the directors of M/s Sethi Forex Pvt. Ltd. This, according to learned counsel for petitioner in itself should suffice to set aside the impugned order.

4. Another important aspect addressed today is that the present respondent filed an execution petition claiming not just the arrears of maintenance but even interest and penalty on the same, for which according to petitioner there was no order. Learned counsel for petitioner, on instructions, submits that without prejudice to his arguments, he is ready to secure a sum of Rs. 30,00,000/- by depositing the same with this Court, even though as per him the outstanding maintenance is approximately Rs. 25,00,000/-. Learned counsel for respondent submits that as per him the outstanding maintenance is about Rs. 48,00,000/- as on date.

5. Another vital point raised by learned counsel for petitioner is that the learned trial court failed to record any finding as regards to the estimated earnings of the present petitioner. On this aspect, learned counsel for respondent was requested to explain. Learned counsel for respondent refers to various documents to show the expenditure and nature of job of the petitioner. But those are only the parameters on which the earnings of the concerned spouse would have to be estimated. It is that estimated figure of earnings of the petitioner only which is missing in the impugned order according to learned counsel for petitioner. It is on this aspect that learned counsel for petitioner contends that according to the legal position, matter has to be remanded to the trial court to carry out the exercise of estimation



of earnings.

6. For further arguments, relist on 21.05.2026 in Advance List.

MAY 20, 2026

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GIRISH KATHPALIA, J