



\$~58

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

+ **CRL.REV.P. 1093/2024**

MOHIT SINGH

.....Petitioner

Through: Mr. Amit Garg, Mr. Gulshan Kumar Malhotra, Mr. Dev Kumar, Mr. Vikrant Malwal, Ms. Smita Garg, Mr. Vipul Jain, Advs. with petitioner (VC).

versus

SMT SONI

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

%

02.09.2024

CRL.M.A. 26344/2024

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.REV.P. 1093/2024

The present petition has been filed under Section 397/401 Cr.P.C. r/w Section 19(4) of Family Court Act against the order dated 16.07.2024 passed by Ld. Judge, Family Courts (North-East) Karkardooma Courts, Delhi whereby the Ld. Judge, Family Courts has awarded a consolidated amount of Rs. 18,000/- per month i.e., Rs. 9,000/- per month for the respondent and the minor child as maintenance from 2020 till the date of order. Ld. Judge, Family Court awarded Rs. 24,000/- per month i.e., Rs.12,000/- to each for the respondent and the minor child from the date of order i.e. 16.07.2024 till



the respondent gets remarried or gainfully employed and the minor child attains majority.

Learned counsel for the petitioner submits that the Ld. Trial Court has assessed the income of the petitioner without any basis. Learned counsel also submits that the agricultural income of the father of the petitioner has also been wrongly assessed at Rs. 50,000/- per year. Learned counsel submits that even if the income of Rs. 50,000/- per year is taken into account, though not admitted, the same is not sufficient for the old parents. Learned counsel submits that no provision has been left by the Ld. Trial Court for taking care of the ageing parents of the petitioner.

Issue notice to the respondent through all permissible modes, returnable on 22.11.2024.

CRL.M.A. 26345/2024

The present application has been filed under Section 482 Cr.P.C. seeking stay / modification of the order dated 16.07.2024 in MT No. 297/2020 filed on behalf of the revisionist with the following prayer:

“i) Stay or Modify the Impugned Order dated 16.07.2024 passed by the Ld. Judge, Family Courts (North-East) KKD Courts, Delhi in MT No.297/2022 filed by the respondent under Section 125 Cr. P.C. case titled as “Soni Versus Mohit”,

ii) Pass any other order that this Hon’ble court may deem fit and proper in the circumstances of the case.”

Issue notice to the respondent through all permissible modes, returnable on 22.11.2024.

DINESH KUMAR SHARMA, J

SEPTEMBER 2, 2024/AR/DG..