

Ashwani Kumar vs. Garima and another

Cr. Rev. (FC) No.9 of 2025

11.09.2025

Present: Mr. Ajay Sharma, Senior Advocate with
Mr. Tarun Brakta, Advocate for the petitioner.

Mr. Mohit Jaitak, Advocate (through V.C) for
the respondent.

Learned counsel for the petitioner submits that though interim maintenance awarded in favour of respondent No.1, the trial Court has taken into consideration the interim maintenance awarded in favour of respondent No.1 @ Rs.5,000/-, but interim maintenance awarded @ Rs.5,000/- per month in favour of respondent No.1 in proceedings under Section 24 of the Hindu Marriage Act in HMA Petition No.288/2021 has not been taken into consideration and, therefore, the maintenance awarded in favour of respondent No.1 vide impugned order under Section 125 Cr.P.C deserves to be interfered with.

Though, in ground (d) of the appeal, there is a reference of awarding maintenance @ Rs.5,000/- per month in proceedings under Section 24 of the Hindu Marriage Act, however, there is nothing on record to substantiate the same. The matter is adjourned to enable the learned counsel for the petitioner to place on record appropriate material to substantiate the same. Needful be done within a period of two weeks.

In case parties have already filed affidavits before the trial Court, disclosing therein their assets and liabilities, copies thereof shall be placed on record by the respective parties on or before next date of hearing. In case such affidavits have not been filed, the parties shall file such affidavits within the aforesaid period in the present matter.

List on 23rd September, 2025.

(Vivek Singh Thakur)
Judge

September 11, 2025
(naveen)

(Sushil Kukreja)
Judge