

Simmy Vs. Om Parkash CRM-1801-2023

Present : Sh. Darshan Gupta, Advocate for applicant.  
Respondent in custody.

In furtherance of order dated 05.04.2024, the respondent has been produced today by the jail authorities. He suffered the statement that today he is unable to pay maintenance of applicant which is pending against him. The respondent has already undergone custodial detention for period of one month in the present execution application. At this stage he suffered the statement he cannot pay the maintenance amount. Although, he is not ready to pay the maintenance but in view of the case law titled as Bal Raj Vs. Priya and others (CRR-1218-2021 decided on 12.11.2021) the respondent cannot be sent to custody again. Because no fresh application has been moved, so, he is ordered to be released from the custody immediately. Warrants of attachment of the properties of the respondent be issued for 25.07.2024 on filing of list of properties by the applicant within 7 days.

Dated : 04.05.2024

(Amrinder Pal Singh)  
Principal Judge, Family Court,  
Sangrur UID No. PB0217

Jagparvesh, Stenographer-II