

Ram Kumar Tyagi vs Pavitra Tyagi

Ram Kumar Tyagi vs Pavitra Tyagi

SooperKanoon Citation : sooperkanoon.com/1253680

Court : Delhi

Decided On : Jan-30-2026

Judge : Hon'Ble Mr. Justice Saurabh Banerjee

Appeal No. : CRL.M.C./257/2026

Appellant : Ram Kumar Tyagi

Respondent : Pavitra Tyagi

Advocate for Def. : Mr. Rajan Bhatia

Advocate for Pet/Ap. : Mr. D. V. Khatri, Mr. Harshad Gupta, Ms. Kalpana

Judgement :

\$~86 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 257/2026
RAM KUMAR TYAGIPetitioner Through: Mr. D. V. Khatri, Mr. Harshad Gupta
and Ms. Kalpana, Advs. alongwith the son of the petitioner

Versus

PAVITRA TYAGIRespondent Through: Mr. Rajan Bhatia, Adv. CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE ORDER % 30.01.2026 CRL.M.A.
945/2026 and CRL.M.A. 946/2026 (Exemption) 1. Allowed, subject to all just
exceptions. 2. The present applications are disposed of. CRL.M.C. 257/2026 3. At
the outset, learned counsel for the respondent submits that the respondent has

received an amount of Rs.2,00,000/- (in cash) yesterday from the son of the petitioner. 4. Learned counsel for the petitioner submits that the petitioner undertakes to make payment of the legally recoverable arrears of maintenance within a period of three months in terms of his affidavit of undertaking dated 24.01.2026. He further submits that the petitioner is also ailing. 5. The learned counsel further, as per instructions from the son of the

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. The Order is downloaded from the DHC Server on 31/01/2026 at 14:10:59 petitioner present in Court, submits that the petitioner shall also be paying/ depositing an amount of Rs.75,000/- per month for the said period of three months. Needless to say, the amount(s) shall be adjusted towards the accumulated arrears. 6. As such, learned counsel for the respondent submits that he has no objection if the petitioner is released for the aforesaid period of three months and the present petition be disposed of in terms of the affidavit of undertaking filed by the petitioner on 24.01.2026, wherein the petitioner has stated as under: 5. That in compliance with the order dated 13.01.2026 passed by this Honble Court, the petitioner is filing the present affidavit and states that he is the owner of (half) undivided share in the agricultural land bearing Khasra No. 19/1. Total measuring 4 Bighas 17 Biswas, situated at Badarpur Mazra Road, Burari, Delhi. A copy of the Khatouni is annexed herewith. 6. That the deponent further states that he undertakes to make payment of the legally recoverable arrears of maintenance within a period of three months, in all circumstances, including by way of sale of a portion of the aforesaid agricultural land. 7. That I assure this Honble Court that I shall neither delay nor evade the payment and shall strictly comply with this undertaking in its true letter and spirit. 8. That in the event of any default or breach of this undertaking, I shall render myself liable for appropriate legal action, including contempt proceedings, in accordance with law. 9. That the present affidavit is being sworn voluntarily, out of my own free will, and without any pressure, force, or coercion from any quarter.

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. The Order is downloaded from the DHC Server on 31/01/2026 at 14:10:59 7. Considering the

nature of the proceedings, especially in view of the aforesaid, as also the medical condition of the petitioner, the petitioner is directed to be released for a period of three months. Needless to say, if the petitioner failed to clear the dues in the aforesaid period, the learned Executing Court will be free to proceed against the petitioner in accordance with law. 8. Accordingly, the present petition is disposed of in the aforesaid terms. 9. A copy of the present order be sent to the learned Executing Court as also to the concerned Jail Superintendent for information and compliance forthwith. Dasti be given under the signature of the Court Master.

SAURABH BANERJEE, J JANUARY 30, 2026/Ab

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. The Order is downloaded from the DHC Server on 31/01/2026 at 14:10:59

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com