

**Not providing maintenance amounts to economic abuse:**

Explanation to Section 3: (iv) "economic abuse" includes, (a) deprivation of all or any economic or financial resources to which the aggrieved person is entitled under any law or custom whether payable under an order of a court or otherwise or which the aggrieved person requires out of necessity including, but not limited to, household necessities for the aggrieved person and her children, if any, stridhan, property, jointly or separately owned by the aggrieved person, payment of rental related to the shared household and maintenance;

Obviously, the husband is under an obligation to support his wife and the children by extending the "financial resources" for which she would be entitled under any law, or under any order of the Court, or otherwise. The words "under any law, or under any order of the Court conveys that the husband has to provide the maintenance as the law provides for such maintenance. And, if any order is passed in this regard, the order has to be respected for extending the financial resources. Reading further, the word "otherwise" conveys that irrespective of an order of the court in relation to maintenance, the husband has to discharge his obligation and has to extend the financial resources. Any refusal or neglect to maintain would amount to "economic abuse" as explained under Section 3 of the Protection of Women from Domestic Violence Act.

The wife and the children would require the maintenance out of necessity and even household necessities, which should be fulfilled by the husband. In view of the aforesaid provision of law, it would be difficult for the husband to get out of the proceedings, and as such, the breach of the provision would amount to "economic abuse" and consequently a case of "domestic violence". The Court will have no compunction to order maintenance in addition to section 125 of the Criminal Procedure Code.

This will also apply to those, who have "live in relationship"