



2026:CGHC:3302

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 114 of 2026**

Ram @ Rakesh Dewangan S/o Dashrathlal Dewangan Aged About 45 Years R/o Durga Mandir Chandrashekhar Road, Vijay Nagar (Shankar Nagar), Police Station Mohan Nagar, District : Durg, Chhattisgarh

... Applicant**versus**

1 - Smt. Shakun Dewangan W/o Ram @ Rakesh Dewangan Aged About 39 Years R/o Durga Chowk Shankar Nagar Durg, Police Station Mohan Nagar, District Durg, Chhattisgarh.

2 - Ku. Aparna Dewangan D/o Ram @ Rakesh Dewangan Aged About 20 Years R/o Durga Chowk Shankar Nagar Durg, Police Station Mohan Nagar, District Durg, Chhattisgarh.

3 - Ku. Anya Dewangan D/o Ram @ Rakesh Dewangan Aged About 5 Years Minor Through- Natural Guardian Mother Smt. Shakun Dewangan W/o Ram @ Rakesh Dewangan (Respondent No. 1), R/o Durga Chowk Shankar Nagar Durg, Police Station Mohan Nagar, District Durg, Chhattisgarh.

... Non-applicants

For Applicant : Mr. Praveen Dhurandhar, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****20.01.2026**

1. This criminal revision has been filed by the applicant with the following prayer:

*"It is, therefore most humbly and respectfully
prayed that the Hon'ble Court may kindly be*



pleased to allow the revision and further be pleased to set-aside the impugned order of maintenance dated 30-10-2025 (Annexure A-1), in the interest of justice.”

2. The facts of the case, in brief, are that the non-applicants, namely the wife and daughters of the applicant, filed an application under Section 125 of the Code of Criminal Procedure seeking maintenance of Rs.50,000/- per month, stating that the marriage between the applicant and non-applicant No.1 was solemnized on 15.04.2000 and that after about one year of marriage the applicant started harassing the wife, remained away from home for long durations, maintained illicit contact with another woman, and subjected her to cruelty. It was further pleaded that two daughters were born out of the wedlock, that the applicant is an earning person having multiple sources of income including business of vegetables, poultry and other assets such as vehicles and houses, and that despite withdrawing fixed deposits and jewellery belonging to the wife, he failed to maintain the non-applicants. The applicant/husband filed his reply denying all allegations and contended that the wife had made false complaints, insisted on separate residence, earns income from bank interest and rent, and that he continues to bear the expenses of the children, while also having instituted divorce proceedings. During the trial, the wife examined herself as PW-1 and the husband examined himself as DW-1. Upon due consideration of the pleadings, evidence and material on record, the learned Family Court, by impugned order



dated 30.10.2025, partly allowed the application and awarded maintenance of Rs.13,000/- per month to non-applicant No.1 (wife) and Rs.12,000/- per month to non-applicant No.3 (minor daughter), totaling Rs.25,000/- per month. Being aggrieved by the said order, the applicant has preferred the present revision petition.

3. Learned counsel for the applicant submits that the impugned order of maintenance dated 30.10.2025 (Annexure A-1) passed by the learned Family Court is illegal, arbitrary, perverse and contrary to the settled principles of law, and therefore liable to be set aside. It is contended that the learned Family Court failed to appreciate the material evidence on record demonstrating that non-applicant No.1 is a gainfully employed lady and an income-tax assessee, as is evident from her Income Tax Returns for the assessment years 2024-25 and 2025-26, showing an annual income of Rs.6,22,670/-, translating to a monthly income of approximately Rs.51,889/-, thereby disentitling her from claiming maintenance. It is further submitted that the wife deliberately suppressed her income in the affidavit filed before the Family Court, which vitiates the impugned order. Learned counsel further submits that the finding recorded by the Family Court regarding the applicant's alleged annual income of Rs.10 to 15 lakhs, based solely on a photocopy of a life insurance policy produced by the wife, is erroneous and unsustainable, especially when the Bank has subsequently clarified that the mention of "jewellery shop" and income of Rs.20 lakhs per annum in the policy was a clerical error. It is also submitted that during her deposition as PW-1, the wife admitted that she is residing in a



house owned by the applicant and acknowledged her income as reflected in her Income Tax Return, which the learned Family Court failed to consider in its proper perspective. Hence, the impugned order suffers from non-application of mind and deserves to be quashed.

4. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
5. From the perusal of the impugned order, it transpires that the learned Family Court, upon due consideration of the pleadings, oral and documentary evidence adduced by both the parties, has rightly appreciated the facts and circumstances of the case and passed a well-reasoned and lawful order. The Court, after examining the testimony of the wife as PW-1 and the husband as DW-1, duly considered the marital relationship, the responsibilities of the applicant towards his wife and minor daughter, the standard of living of the parties, and the material placed on record regarding the income and means of the applicant. The learned Family Court, while partially allowing the application under Section 125 Cr.P.C., has exercised sound judicial discretion in awarding maintenance of Rs.13,000/- per month to the wife and Rs.12,000/- per month to the minor daughter, totaling Rs.25,000/- per month, by impugned order dated 30.10.2025. The said order neither suffers from any illegality nor perversity and has been passed in consonance with settled principles of law, ensuring social justice and preventing vagrancy of the wife and child.



6. Considering the submission advanced by the learned counsel for the applicant and perusing the impugned order and the finding recorded by the learned Family Court, I am of the view that the Family Court has not committed any illegality or infirmity or jurisdictional error in the impugned order warranting interference by this Court.
7. Accordingly, the criminal revision, being devoid of merit, is liable to be and is hereby **dismissed**.
8. Let a certified copy of this order be transmitted to the trial Court concerned forthwith for necessary information and compliance.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rahul Dewangan