



2025:CGHC:31330



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 106 of 2020

1 - Smt. Belmati Nag W/o Domuram Nag Aged About 28 Years R/o Village Chokawada Manjhipara Police Station Nagarnaar Tahsil Jagdalpur District Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

2 - Ku. Anshu Nag D/o Domuram Nag Aged About 11 Years Minor Through Her Natural Guardian Mother I.E. Applicant No. 01, R/o Village Chokawada Manjhipara, Police Station Nagarnaar, Tahsil Jagdalpur, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

... Applicant(s)

versus

Domuram Nag S/o Gangaram Nag R/o Village Chokawada Kotwarpara, Police Station Nagarnaar Tahsil Jagdalpur, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Pravin Kumar Tulsyan, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

08/07/2025

1. The applicant has filed this criminal revision against the order dated 17.12.2019 passed by learned Judge, Family Court,



Jagdalpur, District – Bastar (C.G.) in MJC No.29/2019, whereby the learned Family Court has partly allowed the application under Section 125 CrPC filed by the applicants and directed to pay Rs.2,000/- to respondent No.2 only towards maintenance.

2. Brief facts necessary for disposal of this revision are the applicants have filed an application under Section 125 of the Code of Criminal Procedure (Cr.P.C.) seeking maintenance. The application states that the applicant No. 1 and the respondent had a love affair and got married in 2007 against the wishes of their families. After the marriage, they lived together in rented accommodation and later at the applicant's parental home, where their daughter, applicant No. 2, was born on 06.08.2008. The applicant No. 1 alleged that after the birth of their daughter, the respondent's family members would visit their home and abuse and beat her. The respondent left the applicants' home, claiming to go out for work, and did not maintain contact with them for a long time. The applicant No. 1 lodged a complaint with the police station, and the respondent was found and brought back, but he left again without maintaining the applicants. The applicant No. 1 further alleged that the respondent married another woman on 02.04.2018, and the applicant No. 1 informed the police station about this. The respondent is not providing any financial support to the applicants, and the applicant No. 2 is currently studying in 4th standard in a school, incurring expenses of Rs.5,000/- per month. The applicants claimed that the respondent works as a



mason in a construction project and earns Rs.500-600/- per day.

They sought a maintenance amount of Rs.10,000 per month from the respondent. Thereafter, the respondent filed his reply denying all the allegations as alleged by the applicants, the Family Court after considering all the documents and evidence adduced by the parties dismissed the application under Section 125 filed by the applicant. Hence, the criminal revision.

3. Learned counsel for the applicant submits that the Court failed to consider that the documents produced by the respondent did not bear the applicant's signature. He further submits that the Court granted a meager amount of Rs.2,000/- for maintenance to applicant No. 2 without properly considering the respondent's income. He also submits that the Court erred in holding that the short duration of the relationship dis-entitled applicant No. 1 from maintenance, further the Court overlooked the purpose of maintenance under Section 125 of the Cr.P.C., which is to support women and children who are unable to earn or maintain themselves.
4. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
5. From perusal of the impugned order, it transpires that the Family Court has partly allowed the application under Section 125 CrPC filed by the applicants and directed to pay Rs.2,000/- to respondent No.2 only towards maintenance observing that



applicants have partially proven their claim in favor of applicant No. 2. Therefore, the claim is accepted in favor of applicant No. 2, and the claim in favor of applicant No. 1 is dismissed for lack of evidence.

6. Considering the submissions 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 revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-

(Ramesh Sinha)
Chief Justice