



2026:CGHC:2986



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 96 of 2026**

Rajesh Sahis S/o Kashi Ram Sahis Aged About 30 Years R/o Village Manjhi, Thanwar Para, Beside Sindhu Gurudwara, Korba, Police Station-Korba, Tehsil- Korba, District- Korba (C.G.)

... Applicant(s)**versus**

1 - Smt. Rajkumari Sarthi W/o Rajesh Sahis Aged About 27 Years R/o Village Bhainsa, P.S. Kharora, Tehsil Aarang, District Raipur, C.G.

2 - Himanshu Sahis S/o Shri Rajesh Sahis Aged 11 Months (Minor), Minor Represented Through Mother Smt. Rajkumari Sarthi, Aged About 27 Years, W/o Rajesh Sahis, R/o Village Bhainsa, P.S. Kharora, Tehsil Aarang, District Raipur, C.G.

... Non-applicant(s)

For Applicant : Mr. Shubham Dev Mallick, Advocate

For Non-applicants : None present

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19.01.2026**

1. Heard Mr. Shubham Dev Mallick, learned counsel for the applicant on I.A. No.02/2026, which is an application for condonation of delay of 89 days in filing the instant criminal revision.



2. For the reasons mentioned in the application I.A. No. i.e .02/2026 application for condonation of delay, the same is allowed and delay is condoned. The criminal revision is heard finally.
3. By way of this revision, the applicant has prayed for following relief:

“It is therefore prayed that the Hon’ble Court may kindly be pleased to allow this revision and quashed the order and judgment dated 27.06.2025 passed by the learned Family Court, Raipur in case No. M.J.C. No.43/2021, in the interest of justice.”
4. Brief facts of the case are that the applicant and non-applicant were married to each other on 07.05.2019 as per Hindu rites and customs. The non-applicant/wife preferred an application under Section 125 of the Cr.P.C. seeking grant of maintenance on 13.01.2021 before the learned Family Court, Raipur. In reply thereto, the applicant/husband specifically stated that the non-applicant/wife never lived with him at Korba for more than one month after the marriage. On 07.06.2019, the non-applicant/wife left the applicant and went to her maternal home. Thereafter, upon persuasion by the applicant, she was brought back to Korba in the month of July 2019. However, on 25.07.2019, the father of the non-applicant/wife came to Korba and took her away on the pretext of the Teej festival, and since then she has been residing at her maternal home. After the birth of the son, the applicant along with his mother went to the parental house of the non-applicant/wife to meet her and the child, where they were ill-treated and physically assaulted by the mother of the non-applicant and other family



members. The non-applicant/wife has been residing at her parental house continuously since 25.07.2019. The applicant has made several attempts to bring back the non-applicant to the matrimonial home, but she has not given her consent to return. Accordingly, she filed an application under Section 125 Cr.P.C. before the learned Family Court for grant of maintenance.

5. The applicant has prayed for reduction of the maintenance amount from Rs. 4,000/- per month to Rs. 3,000/- per month with effect from the date of order i.e. 27.06.2025.
6. Learned Family Court after taking evidence from both the parties decided the matter and passed the impugned order dated 27.06.2025, whereby the applicant was directed to pay a sum of Rs. 3000/- per month to the non-applicant No.1/wife and Rs. 1000/- per month to the non-applicant No.2/son as amount of maintenance (total 4000/-) from the date of passing of the order and further ordered to bear Rs. 1000/- for expenses of the proceeding. Hence this revision petition.
7. Learned counsel for the applicant submits that the order dated 27.06.2025 is contrary to facts and circumstances of the case. The applicant is the sole bread earner of his family, he has been taking financial care of his entire family since 14.01.1999 after death of his father. He further submits that the applicant works as an Office Assistant at Pushpak Electronics, Transport Nagar, Korba, at a monthly salary of Rs. 8,000/- per month he won't be able to pay half of his salary as his mother remains ill due old age and the wife is not ready to live with him. The non-applicant/wife is not ready and



willing to live with the applicant though he wants to live with her but on the other hand she wants only the award amount. The learned Family Court has failed to notice the facts that the applicant is ready to keep the non-applicants and take care of them in his paternal house. He further submits that learned Family Court has passed the maintenance amount in higher side without considering the evidence of monthly income of the applicant. Therefore, the same is liable to be set-aside.

8. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with revision.
9. From perusal of the impugned order, it transpires that learned Family Court has held that the non-applicants has succeeded in proving her application. Therefore, keeping in view the social status of both the parties, monthly income of the applicant, the Family Court has granted maintenance of Rs.3000/- per month to the non-applicant No.1 and Rs. 1000/- per month to the non-applicant No.2 (Total 4000/-) as maintenance from the date of filing of application, which cannot be said to be shockingly on higher side.
10. Considering the submissions advanced by learned counsel for the applicant, perusing the documents appended with revision and finding recorded by learned Family Court while awarding the maintenance of Rs.4000/- per month to the non-applicants, I am of the considered view that learned Family Court has not committed any illegality or irregularity in the impugned order warranting interference by this Court.



11. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.

12. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

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

Kunal