



2025:CGHC:47497



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 89 of 2022**

Smt. Janki Ratre W/o Shri Shiv Kumar Bharatendu, Aged About 28 Years
R/o Village Ila, Police Station Patthalgaon, Civil And Revenue District,
District : Jashpur, Chhattisgarh.

... Applicant**versus**

Shiv Kumar Bharatendu S/o Shri Bhikhari Ram, Aged About 28 Years R/o
Village Ila, Police Station Patthalgaon, Civil And Revenue District Jashpur
(Chhattisgarh) Presently Working As Assistant Grade-II, Establishment
Section, Office Of The Collector Jashpur, Civil And Revenue District,
District : Jashpur, Chhattisgarh.

... Respondent

For Applicant : Mr. Vishvanath Shrivastava, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****16.09.2025**

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

*"It is therefore, prayed that this Hon'ble Court
may kindly be pleased to allow this Criminal
Revision and modify the order dated
10.12.2021 passed by family Court Jashpur,
District- Jashpur (C.G.) in Misc. Criminal Case
No. 42/2019 and an order may also be*



passed to enhance the order maintenance amount, in the interest of justice.”

2. The facts, in brief, are that the applicant, legally wedded wife of the respondent, was married to him on 11.04.2016 as per Hindu rites and customs at Village Ila, Police Station Patthalgaon, District Jashpur (C.G.), and thereafter began residing with him. After a few months of peaceful marital life, in 2017, the respondent went to Bilaspur for a four-month training program and, upon his return, refused to allow the applicant to live with him, subjected her to cruelty, and eventually drove her out of the matrimonial home, forcing her to reside at her parental house. It is alleged that the respondent, a government employee working as Assistant Grade-III in the office of Collector, Jashpur, earns a substantial salary but has neglected to maintain the applicant, who is a housewife with no independent source of income. Consequently, the applicant filed an application under Section 125 Cr.P.C. seeking maintenance. After issuance of notice and examination of witnesses from both sides, the learned Family Court, by its order, partly allowed the application and directed the respondent to pay maintenance of Rs. 4,000/- per month to the applicant. Aggrieved by the said order, the applicant has preferred the present revision.
3. Learned counsel appearing for the applicant submits that the impugned order passed by the Family Court, Jashpur, is bad in law, illegal, and contrary to the facts and circumstances of the case, and therefore liable to be modified by enhancing the maintenance amount. It is contended that the Family Court failed to properly



appreciate the evidence on record and erroneously fixed a meager sum of Rs. 4,000/- per month, despite the fact that the respondent is a government servant earning more than Rs. 30,000/- per month. It is further submitted that after a few months of peaceful marital life, the respondent subjected the applicant to cruelty, neglected to maintain her, and forced her to reside at her parental home, which was not duly considered by the Family Court. It is also argued that even though the respondent initially disputed the validity of the marriage, the evidence clearly established that the parties lived together as husband and wife for over a year, thereby entitling the applicant to maintenance. Hence, the maintenance awarded is grossly inadequate and requires enhancement in the interest of justice.

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 careful consideration of the pleadings, evidence, and material placed on record, rightly held that the applicant is the legally wedded wife of the respondent and that she was subjected to cruelty and neglect, compelling her to reside at her parental home. The Court further found that the respondent, being a government employee earning a substantial salary, failed to discharge his legal obligation to maintain the applicant, who is a housewife with no independent source of income. After evaluating the evidence from both sides, the Family Court, by a well-reasoned and justified order, correctly allowed the application under Section



125 Cr.P.C. and directed the respondent to pay Rs. 4,000/- per month as maintenance to the applicant to ensure her sustenance and basic needs.

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 copy of this order be transmitted to the trial Court concerned forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Rahul Dewangan