



2026:CGHC:360



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 150 of 2023

Harsh Nilesh Shah S/o Nilesh Kumar Shah Aged About 25 Years R/o 12/21, Judge Jambulingam Street B-3, Siddharth Utasav, Third Floor, Mailapor, Chennai Pin 600004 Other Address Nilesh Shah Through Sanjay Shah 20-22 Papanasamsivan, Salai, B-03, Bhagyam Prasad, Third Floor, Maylapur, Senthom Chennai 600004.

... Applicant

versus

Jeenal Savla W/o Harsh Nilesh Shah Aged About 24 Years D/o Shri Paresh Savla, R/o 609, Balaji Garden Timber Market Fafadih, Raipur Tahsil And District Raipur Chhattisgarh.

... Respondent

For Applicant : Mr. C.R. Sahu, Advocate

For Respondent : None

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

05.01.2026

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

"It is therefore, that this Hon'ble Court may kindly be pleased to allowed criminal revision and set-aside the impugned order dated 19.10.2022 passed by the learned Principal



Judge Family Court Raipur, Chhattisgarh, in Case No. 441/2021 or granted interim maintenance may be reduced, in the interest of justice”

2. The facts of the case, in brief, are that the respondent filed an application under Section 125 of the Cr.P.C. seeking maintenance on the ground that she had solemnized marriage with the applicant and thereafter left the matrimonial home within a few days of the marriage. The applicant is stated to be working in a private job earning about Rs.10,000/- per month and filing income tax returns, while the respondent has claimed that she has no independent source of income and also filed an application for grant of interim maintenance. Upon issuance of notice, the applicant filed his reply denying all the averments made in the application as well as in the interim maintenance application. After framing of issues, the learned Family Court, vide impugned order dated 19.10.2022, allowed the application and directed the applicant to pay maintenance of Rs.15,000/- 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 passed by the learned Family Court is arbitrary, illegal and contrary to the evidence on record. It is submitted that the respondent left the matrimonial home on her own volition within a short period of marriage without any sufficient cause and, therefore, is not entitled to maintenance under Section 125 of Cr.P.C. The learned Court below failed to consider that the applicant is working in a private job



with a monthly income of about Rs.10,000/-, has no agricultural land, and is solely responsible for maintaining his old parents and children, including bearing the medical expenses of his father who is suffering from cancer. It is further submitted that the respondent is a well-educated lady and was earning substantially prior to leaving the matrimonial home, yet the learned Court awarded an excessive interim maintenance of Rs.15,000/- per month without any proof of the applicant's income, despite the applicant having filed his income affidavit, salary certificate and income-tax returns. The impugned order was passed without properly appreciating the material on record and even in the absence of the applicant, and therefore the interim maintenance awarded is on the higher side, contrary to law, and liable to be quashed or suitably modified.

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 rightly allowed the application filed under Section 125 of the Cr.P.C. Vide order dated 19.10.2022, the learned Court, after due appreciation of the facts and circumstances of the case, correctly held that the respondent-wife was entitled to maintenance and accordingly directed the applicant-husband to pay a sum of Rs.15,000/- per month as maintenance. The learned Family Court has passed the impugned order after proper application of mind and in accordance with law.



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. Office is directed to 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