



2026:CGHC:3967

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 214 of 2023

Manoj Kumar Singh S/o Late Sh. Shatrughan Singh Aged About 47 Years
R/o West Chirimiri, Post West Chirmiri New Mines, Thana- Pondi,
District : Koriya (Baikunthpur), Chhattisgarh

... Applicant

versus

1. Smt. Richa Singh W/o Shri Manoj Kumar Singh Aged About 34 Years R/o Haldibadi Chirimiri, Thana- Chirimiri, District : Koriya (Baikunthpur), Chhattisgarh
2. Ku. Kavya D/o Shri Manoj Kumar Singh Aged About 10 Years Minor Hence Through Their Natural Guardian And Mother, Smt. Richa Singh W/o Shri Manoj Kumar Singh Aged About 34 Years. R/o Haldibadi Chirimiri Thana- Chirimiri, District : Koriya (Baikunthpur), Chhattisgarh
3. Sourya Singh S/o Shri Manoj Kumar Singh Aged About 8 Years Minor Hence Through Their Natural Guardian And Mother, Smt. Richa Singh W/o Shri Manoj Kumar Singh Aged About 34 Years. R/o Haldibadi Chirimiri Thana- Chirimiri, District : Koriya (Baikunthpur), Chhattisgarh

... Non-applicants

For Applicant	: Mr. Bhuvneshwar Singh, Advocate.
For Non-applicants	: Mr. Ramsajiwan, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.01.2026

1. This Criminal Revision is being aggrieved of the judgment dated 19.01.2023 passed by the learned Judge, Family Court, Manendragarh, District - Manendragarh-Chirimiri-Bharatpur, (C.G.) in CIS/MCC No.

62/2022, whereby the learned Family Court partly allowed the application under Section 125 of the CrPC filed by the non-applicants, and directed the applicant/husband that he has to pay the amount of Rs.8,000/- per month to the non-applicant No.1, Rs. 5,000/- per month to non-applicant No.2 and Rs. 5,000/- per month to non-applicant No.2.

2. The facts, in brief, is that both parties are Hindus. Their marriage was solemnized on 20.05.2009 in accordance with Hindu rites and customs. From the wedlock between the Applicant and Non-Applicant No. 1, two children, namely Ku. Kavya and Sourya Singh, were born. The non-applicants filed an application under Section 125 of the Code of Criminal Procedure (for brevity, "Cr.P.C.") before the learned Judge, Family Court, Manendragarh, District Manendragarh-Chirimiri-Bharatpur (C.G.), inter alia alleging ill-treatment. The applicant filed a reply to the application under Section 125 of Cr.P.C., denying all the allegations made by the non-applicants. The learned Family Court, Manendragarh, after permitting the parties to lead their evidence and hearing both sides on the application under Section 125 of Cr.P.C., passed the impugned order dated 19.01.2023 (Annexure A/1), whereby the application for maintenance was partly allowed. The applicant was directed to pay Rs. 8,000/- per month to Respondent/Non-Applicant No. 1 (wife) and Rs. 5,000/- per month each to Respondents No. 2 and 3 (children), totaling Rs. 18,000/- per month, from the date of filing of the maintenance application, i.e., 14.06.2022. Hence, this revision.
3. Learned counsel appearing for the applicant submits that the findings recorded by the learned Family Court are perverse, erroneous, baseless, and contrary to the material and evidence available on record; therefore, the impugned order is liable to be quashed and set aside. The maintenance awarded by the learned Judge, Family Court,

Manendragarh, is harsh and excessive in view of the material available on record; therefore, the same is liable to be set aside. The Family Court has wrongly and erroneously assessed the salary of the applicant and has fixed the maintenance amount on the higher side. Non-applicant No. 1 left the matrimonial home without any just or sufficient cause. Therefore, her application for maintenance was liable to be rejected, as she has refused to live with the applicant without sufficient reason. For this reason, she is not entitled to any maintenance in accordance with Section 125(4) of the Cr.P.C. The applicant is the natural father of non-applicants No. 2 and 3 and, as such, has legal guardianship of the children. The applicant is willing and ready to keep and maintain his children; therefore, payment of maintenance for the children is not required. In fact, the applicant has already paid the school fees of the children. The impugned judgment and order dated 19.01.2023 is bad in law, perverse, and erroneous, and therefore liable to be set aside.

4. On the other hand, learned counsel for the respondent/husband opposes the submissions made by the learned counsel for the applicant and submits that the Family Court after considering all the documents and evidence adduced by the parties has passed the order, in which no interference is called for.
5. I have heard learned counsel for the parties, perused the pleadings and documents appended thereto.
6. Considering the submissions advanced by the learned counsel for the parties, and from the perusal of the impugned order passed by the learned Family Court, it transpires that after hearing all the statements of the witnesses and perusing the evidence available on record, and considering the conditions of both the parties, the learned Family Court has passed the impugned order, and there is no any illegality and infirmity

while passing the same which requires 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 as well as original record of this case be sent to the concerned trial Court for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Preeti