



2026:CGHC:9479



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 280 of 2026

Dr. Ateet Kumar Kujur S/o Shri Sushil Kujur Aged About 33 Years R/o Present Address Kanchan Niwas, Near Amanaka Police Station Mahua Bazar, Raipur (Chhattisgarh), Present Address Church Imli Tekra Hirapur, Near Jeevan Jyoti Ashram , Ward No. 11, Post And Police Station Bharbeli, District- Balaghat (M.P.)

... Applicant(s)

versus

Smt. Mona John Kujur W/o Dr. Ateet Kumar Kujur, Aged About 32 Years D/o Shri Aris John, Presently Residing At Opposite Kisan Bakery, Nayamunda (Baliram Kashyap Ward) Jagdalpur, District- Bastar (Chhattisgarh)

... Respondent(s)

For Applicant(s) : Ms. Pragati Pandey, Advocate.

For Respondent(s) : None.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

24/02/2026

1. Learned counsel for the applicant submits that the default(s) as pointed out by the Registry has already been cured.



2. The applicant has filed this criminal revision against the order dated 10.12.2025 passed by learned 1st Additional Principal Judge, Family Court, Raipur, District – Raipur (C.G.) in Misc. Criminal Case No.36/2022, whereby, the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondent and directed the applicant to pay Rs.8,000/- per month to the respondent, towards maintenance.
3. Brief facts necessary for disposal of this revision are that the applicant and respondent are legally wedded spouses married on 08.04.2021. Due to matrimonial disputes, the respondent started living separately and filed an application under Section 125 Cr.P.C. before the Family Court, Bastar, alleging cruelty, assault, and demand of money by the applicant and his family members. She claimed that the applicant was earning about Rs.40,000/- per month and sought Rs.20,000/- per month as maintenance. The applicant denied the allegations and contended that the respondent is working as an RMO in a hospital and earning approximately Rs.40,000–60,000 per month, and therefore is not entitled to maintenance. After trial, the Family Court vide order dated 10.12.2025 in M.C.C. No. 36/2022 awarded maintenance of Rs.8,000/- per month to the respondent. Aggrieved by the said order, the applicant has preferred the present revision challenging the legality and propriety of the impugned order.
4. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is perverse, contrary to



law, and not sustainable in the facts and circumstances of the case. The respondent wife is working as an advocate and is earning, but she did not disclose her income before the Court and has not approached the Court with clean hands. It is further contended that the mandatory direction of the Hon'ble Apex Court regarding filing of affidavit disclosing income and assets has not been complied with, rendering the maintenance application untenable. She further submits that the respondent is residing separately from the applicant without any justifiable cause and has failed to establish sufficient reason for living apart. The applicant has never ill-treated, abused, or assaulted the respondent, and no complaint was ever lodged in this regard. Therefore, in absence of proof of cruelty or sufficient cause for separate residence, the respondent is not entitled to maintenance under Section 125 Cr.P.C. She also submits that the learned Family Court has awarded maintenance without properly determining the income of the applicant and has misapplied the law and facts on record. The Court has failed to exercise its jurisdiction properly and has acted with material irregularity.

5. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
6. From perusal of the impugned order, it transpires that the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondent and directed the applicant to pay



Rs.8,000/- per month to the respondent, towards maintenance, holding that although the allegations of illicit relationship and physical assault were not proved beyond reasonable doubt, the respondent successfully established that she had gone to resume matrimonial life in compliance with the decree of restitution of conjugal rights, but was deserted by the applicant. The Court further held that the respondent was unable to maintain herself and that the applicant, being an earning and able-bodied person, had sufficient means to provide maintenance, accordingly granted maintenance as aforementioned, which cannot be said to be on higher side.

7. 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.
8. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-

(Ramesh Sinha)
Chief Justice