



2026:CGHC:9325



2026:CGHC:9325

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 275 of 2026

1 - Smt. Aradhana Reddy W/o P. Venkat Krishna Reddy Aged About 27 Years R/o Quarter No. 18/a, Road No. 15, Sector- 02, Bhilai, Tehsil And District Durg (C.G.) (Guardian And Natural Mother Of Minor Child)

2 - Ms. Sanaya Reddy (Minor) D/o P. Venkat Krishna Reddy Aged About 2 Years Through Her Mother And Natural Guardian Smt. Aradhana Reddy, R/o Quarter No. 18/a, Road No. 15, Sector- 02, Bhilai, Tehsil And District Durg (C.G.)

... Applicant(s)

versus

P. Venkat Krishna Reddy S/o Srinivas Reddy Aged About 30 Years R/o House No. 03-60, Voda Colony, Old Madhurawada, Visakhapatnam (Andhra Pradesh)

... Respondent(s)

For Applicant(s) : Mr. Virendra Kashyap, Advocate.

For Respondent(s) : None.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23/02/2026

1. The applicant has filed this criminal revision against the order dated 15.01.2026 passed by learned IIIrd Additional Principal



Judge, Durg, District – Durg (C.G.) in Misc. Criminal Case No.569/2020, whereby the learned Family Court has partly allowed the application under Section 125 CrPC filed by the applicants and directed the respondent / husband to pay Rs.3,000/- per month to applicant No.2 towards maintenance.

2. Brief facts necessary for disposal of this revision are that the applicant No.1 is the legally wedded wife of the respondent and applicant No.2 is their minor daughter, who is residing with her mother at Durg District, Chhattisgarh, and is fully dependent upon her parents for maintenance and upbringing. The marriage between the parties was solemnized on 24.11.2017 as per Hindu rites and customs, and out of the said wedlock, a daughter, Ms. Sanaya Reddy, was born. Due to alleged neglect and refusal on the part of the respondent to maintain them, the applicants filed an application under Section 125 of the Code of Criminal Procedure before the Family Court, Durg. By order dated 15.01.2026 passed in Miscellaneous Criminal Case No. 569/2020, the learned III Additional Principal Judge, Family Court, Durg rejected the claim of maintenance of the wife and awarded maintenance of Rs.3,000/- per month only to the minor daughter. The present Criminal Revision has been filed challenging the said order to the limited extent of enhancement of maintenance granted to the minor child, on the ground that the awarded amount is grossly inadequate considering her educational, medical and daily needs, as well as the respondent's financial capacity, who is a



government servant working as Assistant Public Relations Officer (PRO) in the Metropolitan Region Development Authority, Visakhapatnam. Hence, the criminal revision.

3. Learned counsel for the applicant submits that the impugned order has been passed in disregard of the settled principles governing grant and quantum of maintenance to a minor child. The learned Family Court has allegedly failed to properly appreciate the material available on record and has awarded a meagre sum of Rs.3,000/- per month without due application of judicial mind. The amount fixed is wholly insufficient to meet the basic expenses of food, clothing, education, medical care and overall upbringing of a minor child in present-day circumstances, particularly in view of rising inflation and cost of living. He further submits that maintenance of a minor child is an absolute and statutory obligation of the father, independent of the earning capacity of the mother. The respondent is a government servant working as Assistant PRO in the Metropolitan Region Development Authority, Visakhapatnam, drawing a regular salary of about Rs.35,000/- per month apart from allowances and service benefits, and has no other legally enforceable dependent liability except the minor child. Despite this, the learned Court has fixed an unreasonably low amount, placing undue emphasis on the income of the mother and not proportionately considering the respondent's status and paying capacity. He also submits that the impugned order is stated to be contrary to the principles laid down



by the Hon'ble Supreme Court in *Rajnish v. Neha* and *Gaurav Nagpal v. Sumedha Nagpal*, wherein welfare, dignity and reasonable comfort of the child have been held to be paramount considerations. It is argued that maintenance is a measure of social justice and not charity, and the child is entitled to the same standard of living as that of the father. The award of a token amount defeats the very object of Section 125 CrPC and warrants interference in revisional jurisdiction.

4. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
5. From perusal of the impugned order, it transpires that the learned Family Court has partly allowed the application under Section 125 CrPC filed by the applicants and directed the respondent / husband to pay Rs.3,000/- per month to applicant No.2 towards maintenance, holding that applicant No.1 (wife) is a well-educated and financially independent woman earning substantially more than the respondent and is, therefore, not entitled to maintenance. The Court further held that she was residing separately without sufficient cause and had made contradictory statements regarding her income. However, acknowledging the legal and moral obligation of the father to maintain his minor daughter, and considering the income of both parents and overall circumstances, the learned Family Court fixed a sum of Rs.3,000/- per month for



applicant No.2 from the date of order, which cannot be said to be on lower side.

6. 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.
7. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-

(Ramesh Sinha)
Chief Justice