



2026:CGHC:4208



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 229 of 2024

Pushpa Baghel W/o Ramji Lal Baghel Aged About 39 Years R/o Vill. Podikhurd, Tah. and P.S. Baradwar, Distt. Janjgir Champa (Now As Sakti) C.G., At Present Vill. Bagdabari, Tah. Baloda, Distt. Janjgir Champa, C.G. and Vill. Santoshi Nagar, Raipur, District : Raipur, Chhattisgarh

... Applicant

versus

Ramji Lal Baghel S/o Jana Ram Baghel Aged About 58 Years R/o Vill. Podikhurd, Tah. and P.S. Baradwar, Distt. Janjgir Champa (Now As Sakti), Chhattisgarh

... Respondent

For Applicant : Mr. Tarendra Kumar Jha, Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.01.2026

1. This criminal revision has been filed by the applicant being aggrieved with the impugned order dated 18.01.2024 passed by the learned Additional Principal Judge, Family Court, Janjgir, District – Janjgir-Champa (C.G.) in Special Criminal Case No.413/2022, whereby the learned Family Court has rejected the maintenance application of the applicant/wife.
2. The brief facts of the case is that the marriage of the applicant with the respondent was solemnized in the year 1999 at Village Bagdabari according to Hindu customs. Out of the said wedlock, two sons, namely Bhawesh Baghel (aged about 21 years) and Rahul Baghel (aged about



19 years), were born, who are presently residing with the respondent.

After the marriage, the behaviour of the respondent was not cordial. The respondent and his family members subjected the applicant to cruelty on account of dowry demands. They also doubted her character, assaulted her, and abused her by calling her a “Tonhi”. The respondent has an illicit relationship with other women and, in the absence of the applicant, used to bring another woman to the house. In January 2021, the respondent forcibly drove the applicant out of the matrimonial home at Village Podikhurd. Since then, the applicant has been residing at her maternal village Bagdabari and recently at Santoshi Nagar, Raipur. The applicant has no independent source of income. On 08.06.2022, the applicant filed an application before the Women Counselling Centre, Janjgir, seeking counselling with the respondent. However, the said application was rejected on 12.08.2022, and the applicant was advised to approach the competent Court. The respondent is working as a U.T.D. Teacher and is earning a monthly salary of Rs.53,346/-. He also owns 4 acres of agricultural land situated at Village Podikhurd, from which he earns approximately Rs.2,00,000/- per annum. The applicant thereafter filed an application under Section 125 of Cr.P.C..

3. After receiving notice, the respondent filed his reply denying the allegations made by the applicant. He alleged that the applicant abused him for being handicapped and not handsome and failed to discharge her matrimonial duties. He further stated that the applicant left the matrimonial home without informing him and abused him when he tried to bring her back. He also claimed that he has no savings and bears the burden of the children's education, bank loans, LIC, and other expenses. He further stated that he is suffering from bone-related ailments and has been advised surgery costing approximately Rs.10,00,000/-. The respondent



further alleged that the applicant is working in Safe Saaf Company and that he had purchased lands in the name of the applicant situated at: Village Jagdalla – 0.036 hectare Mopka, Bilaspur – 10 decimal Tikrapa, Raipur – 0.011 hectare. He also alleged that the applicant wants a divorce and threatened to lodge false FIRs against him and his family members. Both parties examined themselves and their respective witnesses. After completion of the trial, the learned Family Court held that the applicant failed to prove her case and dismissed the application. The learned Family Court passed the impugned order dated 18.01.2024. Being aggrieved by the impugned order dated 18.01.2024, the applicant has preferred the present revision petition.

4. Learned counsel appearing for the applicants submits that the impugned order passed by the learned Trial Court is illegal, perverse, and contrary to the evidence available on record. The learned Family Court has failed to consider the pleadings, oral testimony, and documentary evidence adduced by the applicant in their proper perspective, and the findings recorded are based on conjectures and surmises rather than on legal evidence. The learned Family Court Judge has completely ignored the settled position of law that maintenance is a measure of social justice meant to prevent vagrancy and destitution of a deserted wife. The learned Court failed to consider that the applicant has no independent source of income and is unable to maintain herself, whereas the respondent is a salaried Government employee with a regular monthly income and additional agricultural income. The non-consideration of the income disparity between the parties has resulted in grave miscarriage of justice. The learned Family Court failed to consider that the respondent's defence was contradictory, self-serving, and unsupported by any cogent evidence. Despite this, undue reliance was placed upon the respondent's version



while disbelieving the consistent and reliable testimony of the applicant, which is arbitrary and unsustainable in law. The impugned order refusing maintenance to the applicant is thus arbitrary, perverse, and contrary to the provisions of law and the evidence on record.

5. I have heard learned counsel for the applicant, perused the impugned order, pleadings and documents appended thereto.
6. Considering the submissions advanced by the learned counsel for the applicant, 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, 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 present revision, being devoid of merit, is liable to be and is hereby **dismissed**.
8. Let the certified copy of the this order be sent to the concerned trial Court for necessary compliance and follow up action, if any.

Sd/-
(Ramesh Sinha)
Chief Justice

Preeti