



2026:CGHC:10317



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 312 of 2026

Ashish Sahu S/o Shri Haldar Sahu Aged About 28 Years R/o Village-
Chiraogodi Tehsil- And District- Balod (C.G.)

... Applicant

versus

1 - Smt. Triveni Sahu W/o Ashish Sahu Aged About 25 Years R/o Village-
Dadhari Tehsil Gurur District- Balod (C.G.)

2 - Kumari Jiya D/o Ashish Sahu Aged About 3 Years Through- Her
Natural Guardian Mother Namely Smt, Triveni Sahu W/o Ashish Sahu
Aged About- 25 Years R/o Village- Dadhari Tehsil Gurur District- Balod
(C.G.)

... Respondents

For Applicant : Ms. Aditi Singhvi, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

27.02.2026

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

"It is therefore, most humbly prayed that the impugned judgement dated dated 07.02.2026 passed by Hon'ble Judge, Family Court, Balod, District Balod (C.G.), passed in Miscellaneous Criminal Case No. 201/2025, may kindly be set-aside only in respect of grant of maintenance to the respondent/ wife herein."



2. The facts of the case, in brief, are that the respondent/wife filed an application under Section 125 of the Code of Criminal Procedure, 1973 seeking maintenance of Rs. 20,000/- per month for herself and Rs. 10,000/- per month for her minor daughter, stating that her marriage with the applicant Ashish Sahu was solemnized on 18.04.2024 at Tehsil Gurur, District Balod (C.G.), and a daughter was born out of the wedlock on 20.04.2025. It was alleged that soon after marriage the applicant expressed unwillingness towards the marriage, maintained relations with another woman, and along with his family members subjected the respondent to harassment and cruelty in connection with dowry demands, pressurized her for abortion, and ultimately forced her to leave the matrimonial home on 20.01.2025, since when she has been residing with her parents. The applicant, in his reply, denied the allegations and contended that the respondent was having an affair, misbehaved with his aged parents, and voluntarily left the matrimonial home, he further stated that she is a graduate earning Rs. 8,000–10,000/- per month through tailoring work, whereas he earns Rs. 24,000/- per month with certain deductions and has to maintain his aged parents. Upon appreciation of the evidence, the learned Court, vide impugned judgment dated 07.02.2026, held that the applicant, being the husband of respondent No.1 and father of respondent No.2, despite having sufficient earning capacity, neglected to maintain them, and accordingly partly allowed the application, directing the applicant to pay maintenance of Rs. 10,000/- per month to respondent No.1 and Rs. 5,000/- per month to respondent No.2 from the date of order.



Being aggrieved by the said order, the applicant has preferred the present revision.

3. Learned counsel for the applicant submits that the learned Court below has failed to properly appreciate the material available on record and has erroneously concluded that the respondent was subjected to mental and physical cruelty, including allegations of dowry demand and threats, whereas no cogent or reliable evidence has been adduced to substantiate such claims, and the bare perusal of the statements on record does not support the averments made by the respondent so as to constitute a valid ground for living separately under Section 125 CrPC. It is further submitted that the learned Court has not considered the fact that the respondent is a graduate and capable of earning sufficient income for her maintenance. It is contended that the impugned order has been passed in disregard of the well-settled principles laid down by the Hon'ble Supreme Court in *Rajneesh v. Neha* and that the same is perverse, arbitrary and contrary to the true spirit and object of Section 125 of the Code of Criminal Procedure, 1973.
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 has rightly appreciated the pleadings and evidence on record and has passed a well-reasoned and lawful order dated 07.02.2026. The learned Court, after considering the marriage between the parties, the birth of the minor daughter, and



the material placed on record regarding the income and earning capacity of the applicant, has correctly held that the applicant, being the legally wedded husband of respondent No.1 and father of respondent No.2, is under a statutory as well as moral obligation to maintain them. The learned Court has duly considered the rival contentions of both parties and, upon proper evaluation of the evidence, found that the respondents were unable to maintain themselves and that the applicant had neglected to provide maintenance despite having sufficient means. The quantum of maintenance awarded, i.e., Rs. 10,000/- per month to respondent No.1 and Rs. 5,000/- per month to respondent No.2, is just, reasonable and commensurate with the status and income of the applicant.

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. Let a certified copy of this order be transmitted to the trial Court concerned forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice