



2026:CGHC:358



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 269 of 2023

Smt. Divya @ Minu Kogre W/o Shankar Lal Kogre Aged About 31 Years R/o Bangali Colony, Ward No.11, Ghodari, Tehsil, Police Station Mahasamund, District : Mahasamund, Chhattisgarh

... Applicant

versus

Shankar Lal Kogre S/o Champa Lal Kogre Aged About 35 Years R/o Ajad Nagar Indra Colony Opposite Old Masjid, Newyard Itarsi, Police Station And Tehsil Itarsi, District : Hoshangabad, Madhya Pradesh

---- Respondents

For Applicant : Mr. Shubhank Tawari, Advocate.

For Respondent : Mr. Ashish Mittal, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

05.01.2026

1. Heard Mr. Shubhank Tawari, learned counsel appearing for the applicant. Also heard Mr. Ashish Mittal, learned counsel for the private respondent.
2. This Criminal Revision is being aggrieved of the order dated 03.02.2023 passed by the learned Family Court, District – Mahasamund (C.G.) in Misc. Criminal Case No. 106/2022, whereby the learned Family Court, dismissed the application under Section 125 of the CrPC filed by the applicant for grant of maintenance.
3. The prosecution story in brief is that the application under Section 125 of CrPC on the allegation that on the next day of marriage i.e. on



31.05.2019 her respondent deserted her for want of dowry. The respondent took her to village Sivnimala, which is ancestral village of father of applicant and left her. The family members of the applicant made several request for providing the dowry and assured the respondent that his demand and wishes will be fulfilled timely but no stone unturned. It was further averred that even after repeated request by them the respondent did not took his wife with him. The respondent did not even appreciate the circumstances that in Covid situation when the entire country was facing physical and mental trauma, how such poor family will fulfil his demands yet the assurance was given timely. It was further stated that the respondent is doing Kitchen Decoration work from which he is earning about Rs. 50,000/- per month and from agriculture production he is earning Rs. 1,00,000/- per year. Hence, she filed an application for grant of maintenance for Rs. 10,000/- per month.

4. The respondent herein has filed the reply to the said application and has denied the averments raised by the applicant. The learned Family Court has recorded the statement of the parties. The witnesses were examined before the learned Family Court including the applicant and the respondent. The learned Family Court by passing the impugned order, has dismissed the application under Section 125 of the CrPC filed by the applicant for grant of maintenance. Hence, this revision.
5. Learned counsel appearing for the applicant submits that the impugned order is contrary to the facts, law and circumstances of this case. It is further submitted that the respondent has himself deserted her, and the respondent is doing Kitchen Decoration work from which he is earning



about Rs. 50,000/- per month and from agriculture production he is earning Rs. 1,00,000/- per year, therefore, he is having capability to maintain the applicant/wife. Therefore, the impugned order is contrary to the facts, and the same is liable to be modified.

6. On the other hand, learned counsel for the respondent opposes the submissions advanced by the learned counsel for the applicant and supports the impugned order dated 03.02.2023 passed by the learned Family Court, District – Mahasamund (C.G.) in Misc. Criminal Case No. 106/2022, whereby the learned Family Court, rejected the application under Section 125 of the CrPC filed by the applicant for grant of maintenance, and he further submits that there is no illegality and infirmity while passing the same, therefore, the instant revision filed by the applicant/complainant is devoid of merits and is liable to be dismissed.
7. I have heard learned counsel for the parties, perused the pleadings and documents appended thereto.
8. Considering the submissions advanced by the learned counsel for the parties, and from the perusal of the order of the Family Court, it transpires that no any good ground has been raised on merits by the applicants' side, thus, 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.
9. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.



10. Let a certified copy of this order as well as original records be transmitted to the concerned trial Court within a week for necessary compliance and follow up action, if any.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rajshekhar