



2025:CGHC:38443



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 1163 of 2022**

1 - Smt. Kanchan Shah W/o Deepak Kumar Aged About 34 Years R/o Bedi Colony (Near G.G.S. Public School) Ward No. 24, Santoshipara, Nandini Road, Power House, Police Station Chhawani, Bhilai, District Durg Chhattisgarh.

2 - Anubhav Kumar (Son) S/o Deepak Kumar Aged About 10 Years Minor Through His Mother (Smt. Kanchan Shah), R/o Bedi Colony (Near G.G.S. Public School) Ward No. 24, Santoshipara, Nandini Road, Power House, Police Station Chhawani, Bhilai, District Durg Chhattisgarh.

--- Applicants**versus**

Deepak Kumar S/o Vinod Prasad Aged About 38 Years R/o Village And Post Hariharganj, Police Station Naasriganj, District Rohtas, Bihar, Pin Code 821310.

--- Respondent

For Applicants/Wife & Child	:	None.
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Along with**CRR No. 364 of 2021**

Deepak Kumar S/o Vinod Prasad Aged About 34 Years R/o Village Hariharganj , Police Station Nasariganj, District Rohatas, Bihar, Pin Code 821310.

---Applicant**Versus**

1 - Srimati Kanchan Shah W/o Deepak Kumar Aged About 31 Years R/o Bedi Colony, (Near G.G.S. School) Ward No. 24, Santoshi Para , Nandini Road, Power House , Police Station Chawani, Bhilai, District Durg Chhattisgarh 490011.

2 - Anubhav Kumar S/o Deepak Kumar Aged About 7 Years Through Legal Gaudian, Smt. Kanchan Shah W/o Deepak Kumar, R/o Bedi Colony, (Near G.G.S. School) Ward No. 24, Santoshi Para , Nandini Road, Power House , Police Station Chawani, Bhilai, District Durg Chhattisgarh 490011.

---- Respondents



For Applicant/Husband	:	Mr. Hemant Kumar Agrawal,
		Advocate.
For Respondents/Wife & Child	:	None.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

04.08.2025

1. These Criminal Revisions are being aggrieved of the judgment dated 26.02.2020 passed by the learned 1st Additional Principal Judge, Family Court, District – Durg (C.G.) in Misc. Cr. Case No. 30/2016, whereby the learned Family Court, partly allowed the application under Section 125 of the CrPC filed by the wife and child, for grant of maintenance, and ordered the husband that he has to pay the allowance for maintenance at the rate of Rs. 3,000/- per month to the wife and Rs. 1,000/- per month to the child.
2. The facts, in brief, is that both wife & the husband are Hindu and their marriage was solemnized on 09.12.2021 according to the Hindu customs and traditions and from 10.12.2011, the wife started residing with the husband and on 19.08.2012 they conceived a child, from the initial days of the marriage itself, wife was harassed both physically and mentally and was demanded a sum of Rs. 50,000/-, a gold chain and ring by her in-laws. Wife was frequently demeaned, verbally abused, threatened that she would be thrown out of the house and when she got pregnant, the legitimacy of her child was questioned by her in-laws and allegation imposed on the wife in connection with infidelity and even she was subjected to sex-determination test while she was pregnant. There had been several litigations between the parties including Section 9 of Hindu Marriage Act, and Section 498 of IPC, allegation was imposed to the effect that but no fruitful result was yielded. Various documents were exhibited such as birth report of applicant No. 2, report lodged at Police



Station Mahila Thana and Superintendent of Police Durg, application under Section 9 of Hindu Marriage Act, case proceedings in connection with divorce of Sasaram Bihar, as well as medical documents, etc.

3. The husband (Deepak Kumar) has denied the allegations levelled against him in the application. After perusing the documents and hearing the submissions of the parties, and the learned Family Court partly allowed the application filed by the wife and child, and ordered the husband that he has to pay Rs. 3,000/- per month to the wife and Rs. 1,000/- per month to the child as maintenance. Hence, these revisions.
4. Learned counsel appearing for the husband (Deepak Kumar) submits that impugned order passed by the learned Family Court, is contrary to the facts and evidence available on record. It is further submitted that the husband is the elder son of his old parents and his younger brother is suffering from Polio disease who is totally dependent on the husband and his parents have to bear his medical and other expenses, therefore, it will be difficult and unjust for the husband to manage the wife and child financially. Therefore, the impugned order is bad in law, perverse and erroneous, and the same it is liable to be set-aside/quashed.
5. I have heard learned counsel for the husband, perused the pleadings and documents appended thereto.
6. Considering the submissions advanced by the learned counsel for the husband, 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



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interference by this Court.

7. Accordingly, the instant criminal revisions being devoid of merit are liable to be and are hereby **dismissed**.
8. 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**

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