



2026:CGHC:12677



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 375 of 2026

Smt. Priyanka Shriwas W/o Sunil Kumar Patel Aged About 26 Years R/o Village- Ghatadwari, Police Station- Urga, District-Korba (C.G.), At Present R/o B.D. Mahant Up-Nagar, Janjgir (Wrongly Mentioned As B.D. Mahant Janjgir), Police Station- Janjgir, District-Janjgir-Champa (C.G.)

... **Applicant(s)**

versus

Sunil Kumar Patel S/o Narayan Prasad Patel Aged About 27 Years R/o Village- Ghatadwari, Police Station-Urga, District-Korba (C.G.)

... **Non-applicant(s)**

For Applicant : Mr. Paras Mani Shrivastava, Advocate.

For Non-applicant : None.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

17.03.2026

1. I.A. No.1 of 2026 is an application for condonation of delay in filing the revision of 15 days.
2. On due consideration and for the reasons mentioned in the application, the same is allowed. Delay in filing the revision is hereby condoned.
3. By way of this revision, the applicant has prayed that this Hon'ble Court may kindly be pleased to allow this Criminal Revision and



Quash/Set-aside/Modify the order dated 22.11.2025 passed by learned Additional Principal Judge, Family Court Janjgir, District-Janjgir-Champa (C.G.) and amount of maintenance may be enhanced, in the interest of justice.

4. Facts of the case are that the applicant is the legally wedded wife of the Non-applicant. Prior to their marriage, a love affair existed between them during the years 2020–2021. As the Non-applicant was initially unwilling to solemnize the marriage, the applicant lodged a report against him on 24.02.2024. Thereafter, the parties solemnized their marriage on 15.05.2024 in accordance with Vedic rites and customs at Arya Samaj Sanskar Sewa Samiti, Magarpara Road, Bilaspur, District Bilaspur (C.G.). After the marriage, the applicant went to the house of the Non-applicant and they started residing together as husband and wife. After the Non-applicant was granted bail in the case registered on the report lodged by the applicant under Sections 376 and 506 of the IPC, the Non-applicant along with his family members started subjecting the applicant to cruelty and harassment. The applicant made a complaint at Police Station Urga on 24.07.2024, whereupon the matter was temporarily compromised between the parties. However, after some time, the Non-applicant again subjected the applicant to physical and mental harassment, due to which she dialed 112 and approached the police authorities. Thereafter, the police called the parents of the applicant and sent her back to her parental home. Thereafter the applicant started residing at her parental house. Despite making several attempts to resume matrimonial life with the Non-applicant,



he refused to cohabit with her. Consequently, in the month of March 2025, the applicant filed an application under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 before the learned Family Court seeking maintenance due to lack of financial hardships.

5. Upon hearing the matter, the learned Family Court concerned issued notice to the Non-applicant, who appeared and filed his reply, denying the averments made by the applicant except for certain admitted facts. Thereafter, the learned Family Court recorded evidence of both parties and after due consideration, partly allowed the application filed by the applicant and directed the Non-applicant to pay a sum of Rs. 3,000/- per month towards maintenance to the applicant. Being aggrieved by the inadequacy of the said amount, the present revision is being preferred.
6. Learned counsel for the applicant submits that the impugned order passed by the learned Additional Principal Judge, Family Court, Janjgir, District Janjgir-Champa (C.G.) is bad in law, illegal, and has been passed without proper appreciation of the facts and circumstances of the case, resulting in grant of a meagre and insufficient amount of maintenance. It is submitted that the learned Family Court failed to consider that the applicant was subjected to cruelty and harassment by the Non-applicant and his family members and was compelled to reside separately for justifiable reasons. The learned Family Court further erred in not properly appreciating that the Non-applicant is gainfully employed as a Guest Teacher and is earning approximately Rs. 28,000/- per



month and thus has sufficient means to provide adequate maintenance to the applicant in accordance with their social status. It is also submitted that despite there being no interim maintenance granted during the pendency of the proceedings, the learned Family Court has awarded only Rs. 3,000/- per month, which is grossly inadequate. Further, the marital relationship between the parties is admitted and therefore, the Non-applicant is legally bound to maintain the applicant. Hence, the impugned order deserves to be modified and the applicant is entitled to enhancement of the maintenance amount.

7. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
8. From perusal of the impugned order, it transpires that the learned Family Court has duly considered the material available on record, the evidence adduced by both the parties and the income as well as the liabilities of the Non-applicant and thereafter has passed a reasoned and speaking order. The learned Family Court has rightly assessed the facts and circumstances of the case and awarded maintenance to the applicant, which cannot be said to be arbitrary or perverse. The findings recorded by the learned Family Court are based on proper appreciation of evidence and do not suffer from any illegality, irregularity, or perversity warranting interference by this Court in exercise of revisional jurisdiction.
9. Considering the facts and circumstances of the case, this Court is of the opinion that the learned Family Court has committed no error in partly allowing the application and awarding maintenance to the



applicant. The amount so awarded cannot be said to be so inadequate as to call for interference.

10. Accordingly, the criminal revision, being devoid of merit, is liable to be and is hereby **dismissed**.
11. Office is directed to send a certified copy of this order to the Family Court concerned for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Kunal