



2026:CGHC:12676



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 378 of 2026**

1 - Smt. Rani Manikpuri W/o Shri Sanjay Kumar Manikpuri Aged About 30 Years Occupation Housewife, R/o Village Thanthar, P.S. And Tahsil Gandai, Distt. Khairagarh Chhuikhadan Gandai, Chhattisgarh.

2 - Dhanish Das Manikpuri S/o Shri Sanjay Kumar Manikpuri, Aged About 2.5 Years, Minor Through The Legal Guardian Mother Smt. Rani Manikpuri, Occupation Housewife, R/o Village Thanthar, P.S. And Tahsil Gandai, Distt. Khairagarh Chhuikhadan Gandai, Chhattisgarh.

... Applicant(s)**versus**

Sanjay Kumar Manikpuri S/o Shri Pyaredas Manikpuri Aged About 31 Years R/o Village Tikaripara, Gandai, P.S. And Tahsil Gandai, Distt. Khairagarh Chhuikhadan Gandai, Chhattisgarh.

... Non-applicant(s)

For Applicants : Mr. Pushpendra Kumar Patel, Advocate

For Non-applicant : None.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****17.03.2026**

1. By way of this revision, the applicants have prayed that this Hon'ble Court may kindly be pleased to set-aside the impugned order dated 13.02.2026 (ANNEXURE A-1), passed in Misc. Cr. Case No. 11/2023 "Smt. Rani Manikpuri and another Vs. Sanjay Kumar



Manikpuri" by the learned Judge, Khairagarh, Link Court to the Family Court, Rajnandgaon, District Rajnandgaon (C.G.) so far as rejection of the maintenance application of the applicant No. 01 is concerned and granting the appropriate maintenance in favour of the applicant No.01 and also enhance the maintenance amount granted in favour of applicant No.02, in the interest of justice.

2. Brief facts of the case are that the marriage of applicant No. 01 and the Non-applicant were solemnized on 15.04.2016 in accordance with Hindu rites and rituals at Village Thanthar. Out of the said wedlock, applicant No. 02 was born. The applicants filed an application under Section 125 of the Cr.P.C. seeking maintenance to the tune of Rs. 15,000/- per month from the Non-applicant. The said application was filed on the ground that after the marriage, the Non-applicant subjected the applicants to cruelty on account of dowry demands and ultimately expelled applicant No. 01 from the matrimonial home. It was further contended that the Non-applicant is employed in a private/global company at Raipur and earns approximately Rs. 40,000/- per month and is also the owner of about 4.00 acres of agricultural land situated at Village Tikripara, Gandai, from which he earns nearly Rs. 2,00,000/- annually. It was also submitted that the applicants have no independent source of income and are therefore entitled to maintenance as claimed.
3. The Non-applicant filed his reply denying the averments made in the application.
4. After appreciating the evidence and material available on record, the learned Family Court decided the matter and vide order dated



13.02.2026, partly allowed the application by rejecting the claim of applicant No. 01 on the ground that she failed to establish sufficient cause to live separately from the Non-applicant, while granting maintenance of Rs. 2,500/- per month in favour of applicant No. 02. Being aggrieved by the rejection of maintenance to Applicant No. 01 and the inadequacy of the amount awarded to applicant No. 02, the applicants have preferred the present criminal revision.

5. Learned counsel for the applicants submit that the impugned order dated 13.02.2026 (Annexure A-1) passed in Misc. Criminal Case No. 11/2023 is contrary to the facts and material available on record, inasmuch as the learned Family Court has erred in rejecting the maintenance claim of applicant No. 01 and in awarding a meagre amount of maintenance to applicant No. 02. It is submitted that it is an admitted position that applicant No. 01 is the legally wedded wife of the Non-applicant and she was compelled to live separately due to cruelty and harassment inflicted by the Non-applicant, thereby establishing sufficient cause for separate residence, hence, rejection of her claim is illegal and unsustainable in law. It is further submitted that applicant No. 01 is entitled to maintenance in the facts and circumstances of the case and the amount of Rs. 2,500/- per month awarded in favour of applicant No. 02 is grossly inadequate considering the prevailing cost of living and is liable to be suitably enhanced.
6. I have heard learned counsel for the applicants, perused the impugned order and other documents appended with revision.



7. From perusal of the order dated 13.02.2026 passed by the learned Family Court concerned, it transpires that an amount of Rs. 2500/- per month has been awarded towards maintenance to the applicant No. 2/son and after appreciating the the same, rejected the application of the applicant No.1/wife. It appears that the learned Family Court, upon appreciation of the facts and evidence placed on record, has rightly exercised its judicial discretion in granting maintenance solely to the minor child, considering his status as a dependent and the legal obligation of the father to maintain him. The absence of any finding or relief regarding applicant No.1 indicates that the Court did not find sufficient grounds to allow her claim for maintenance, which, in the circumstances of the case, cannot be said to be erroneous or unjustified.
8. Considering the submissions advanced by the learned counsel for the applicants and also considering the finding recorded by the learned Family Court, I do not find any illegality or infirmity in the impugned order passed by the learned Family Court concerned.
9. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.
10. 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