



2026:CGHC:3963

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 574 of 2023

Love Chandravanshi S/o Ramnath Chandravanshi, Aged About 55 Years Occupation Agriculture And Mason, R/o Village Bhareli, Police Station Pandatarai, District Kabirdham, Chhattisgarh.

... Applicant(s)

versus

Roshan Kumar S/o Love Chandravanshi, Aged About 14 Years Minor Through His Natural Guardian Mother Vinti Chandravanshi, R/o Bhareli, Police Station And Tahsil Bodla, Present Address - House Of Father Anju Chandravanshi, Village Dhobghatti, Police Station Pandatarai, District Kabirdham, Chhattisgarh.

... Respondent(s)

For Applicant(s) : Mr. Ajay Kumar Chandra, Advocate

For Respondent(s) : Mr. Chandrikaditya Pandey, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.01.2026

1. The applicant has filed this criminal revision against the order dated 25.04.2023 passed by the learned Family Court Kawardha, District- Kabirdham (C.G.) in MJC No. 130/2022, whereby the learned Family Court has partly allowed the application under

Section 127 filed by the respondent and enhanced the maintenance amount from Rs.3,000/- per month to Rs.4,200/- per month.

2. Brief facts of the case, in one detailed paragraph, are that the learned Family Court, Kawardha, District Kabirdham (C.G.), by order dated 06.02.2018 passed in M.J.C. Case No. 594/2017 (Vinti Bai & another vs. Chandravanshi), rejected the application filed by applicant Vinti Bai under Section 125 of the Criminal Procedure Code and granted maintenance of Rs.3,000/- per month only in favour of her minor son Roshan Kumar. Thereafter, the present non-applicant, being the minor son and represented through his natural guardian mother, filed an application under Section 127 CrPC before the same Court seeking enhancement of maintenance from Rs.3,000/- to Rs.15,000/- per month on the ground of change in circumstances, contending that due to rising inflation and manifold increase in the cost of essential commodities such as food, clothing, medicines, education and other daily necessities, the existing maintenance amount had become wholly inadequate for his survival. It was further pleaded that the non-applicant is a regular student of Class IX in Government Higher Secondary School, Kumhi, and is facing serious financial hardship affecting his education and livelihood, and that his circumstances have materially changed since the earlier order dated 06.02.2018. Upon consideration of the pleadings and evidence, the learned Family Court, Kawardha, by

order dated 25.04.2023, partly allowed the application and enhanced the maintenance amount from Rs.3,000/- to Rs.4,200/- per month, which has given rise to the present revision.

3. Learned counsel for the applicant submits that the impugned order dated 25.04.2023 passed by the learned Family Court is illegal, suffers from procedural irregularity, perversity and non-application of mind, and is therefore liable to be set aside. It is contended that the applicant is a marginal agriculturist owning only 1.45 acres of agricultural land and has no independent or regular source of income other than agriculture, yet the learned Family Court has erroneously assessed and wrongly interpreted the income of the applicant without proper appreciation of the material on record. It is further submitted that the non-applicant is a regular student of Class IX in a Government Higher Secondary School at Kumhi and is availing the benefits of various welfare schemes provided by the State Government as well as the Government of India, which aspect has not been duly considered. Learned counsel further submits that the applicant met with an accident in the month of January and sustained serious injuries on his head, chest, hands and knee, for which he underwent treatment at Vandana Multiplicity Hospital, incurring substantial medical expenses and rendering him incapable of performing his agricultural work. In support thereof, relevant medical documents including the discharge ticket, OPD receipts, prescription cards of the treating doctors, CT scan reports, medical bills and other

related records were produced before the learned Family Court, which clearly establish the applicant's medical condition and financial hardship, but the same were not properly appreciated while passing the impugned order.

4. On the other hand, learned counsel for the respondent opposes the submissions made by the learned counsel for the applicant and submits that the Family Court after considering all the documents and evidence adduced by the parties has passed the order, in which no interference is called for.
5. I have heard learned counsel for the parties, perused the impugned order and other documents appended with criminal revision.
6. From perusal of the impugned order, it transpires that the Family Court has partly allowed the application under Section 127 of Cr.P.C. filed by the respondent and has enhanced maintenance from Rs.3,000/- per month to Rs.4,200/- per month observing that nearly five years had elapsed since the earlier order and, during this period, there had been a natural and continuous increase in the cost of living and essential commodities. The Court further took into consideration the growing age of the minor respondent, his educational needs as he is studying and entering a higher class, and the consequent increase in expenses required for his maintenance. The learned Family Court also observed that although the respondent disputed his income and agricultural holdings, he failed to produce cogent material to conclusively

establish his actual income and financial incapacity. Considering the overall facts and circumstances, including the number of dependents of the respondent, his earning capacity, and the reasonable needs of the minor child, the Court found it just and proper to enhance the maintenance amount by Rs. 1,200/- per month. Accordingly, the Family Court directed the respondent to pay a sum of Rs. 4,200/- per month as maintenance, holding that such enhancement was reasonable, justified and in consonance with the object and spirit of Sections 125 and 127 of the Code of Criminal Procedure.

7. Considering the submission advanced by the learned counsel for the parties 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.
8. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-

(Ramesh Sinha)
Chief Justice