



2026:CGHC:3101

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 604 of 2023**

Smt. Mukta Vedvyas W/o. Shri Harishchandra Vedvyas, Aged About 27
Years By Caste Gond, R/o. Chhupali, Thana - Singhoda, Tahsil -
Saraipali, District - Mahasamund Chhattisgarh

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

Harishchandra Vedvyas S/o. Shri Sevakram Vedvyas, Aged About 30
Years R/o. Harlichhapar, Thana And Tahsil - Basna, District -
Mahasamund Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Sumit Shrivastava, Advocate.

For Respondent(s) : Mr. Anil Gulati, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19/01/2026**

1. The applicant has filed this criminal revision against the order dated 20.04.2023 passed by learned Judge, Family Court, Mahasamund (Camp Court, Saraipali), District – Mahasamund (C.G.) in Misc. Criminal Case No.50/2022, whereby the learned

Family Court has rejected the application under Section 125 CrPC filed by the applicant.

2. Brief facts necessary for disposal of this revision are that The applicant and the respondent were married on 18.04.2021 as per the customs prevailing in their community at District Mahasamund. Soon after the marriage, the respondent started doubting the character of the applicant, harassing her, abusing her in filthy language, and threatening her. He disclosed that he had a prior relationship with another woman and expressed his unwillingness to keep the applicant with him, ultimately forcing her to leave and drop her at her parental home. A community meeting was convened at the instance of the applicant's parents, wherein the respondent refused to take the applicant back. Thereafter, the applicant has been residing at her parental home. The applicant, having no independent source of income, alleged that the respondent has sufficient means, including agricultural land measuring about 5 acres standing in the name of his father, yielding an annual income of approximately Rs.5,00,000, and is therefore legally bound to maintain her. The applicant approached the police and subsequently the Family Counselling Centre, Mahasamund, where a brief cohabitation took place, but the dispute persisted and she was again compelled to reside with her parents. The applicant filed an application under Section 125 Cr.P.C. seeking maintenance of Rs.5,000 per month along with interim maintenance. The respondent denied all allegations,

alleged illicit relations on the part of the applicant, and contended that she left the matrimonial home voluntarily without any sufficient cause. After counselling failed and evidence was recorded, the learned Family Court held that the applicant was residing separately without sufficient cause and dismissed the application by order dated 20.04.2023, which has given rise to the present revision petition.

3. Learned counsel for the applicant submits that the learned Family Court committed a grave error in rejecting the application under Section 125 Cr.P.C. by relying upon false, unsubstantiated, and unproved allegations made by the respondent regarding the alleged character of the applicant. The evidence on record clearly establishes that the applicant was subjected to cruelty, harassment, and was ultimately ousted from the matrimonial home by the respondent, compelling her to reside with her parents without any source of income. He further submits that the learned Family Court failed to properly appreciate the oral and documentary evidence, including the testimony of AW-02 and other witnesses, which categorically supported the applicant's case that soon after marriage the respondent doubted her character, abused and harassed her physically and mentally, and openly admitted his relationship with another woman. Despite community intervention and brief cohabitation, the respondent again deserted the applicant and left her at her maternal home on 22.04.2022, thereby giving her sufficient and just cause to live

separately. He also submits that the impugned findings, particularly in paragraphs 27 and 28 of the order, are perverse, contrary to the material available on record, and unsustainable in law. The learned Family Court ignored the settled principles governing Section 125 Cr.P.C., including the binding guidelines laid down by the Hon'ble Supreme Court in *Rajnesh v. Neha* (2021 SCC), and failed to consider that the marriage is admitted, the applicant is unable to maintain herself, and the respondent has sufficient means but failed to prove his allegations, rendering the rejection of maintenance illegal and liable to be set-aside.

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 learned Family Court has rejected the application under Section 125 CrPC filed by the applicant observing that although the applicant is unable to maintain herself and the respondent is a person having sufficient means, the applicant failed to establish any sufficient and reasonable cause for living separately from her husband/respondent. The Court further held, on the basis of oral

evidence, social meeting records, and counselling proceedings, that the applicant was residing at her parental home voluntarily due to her alleged illicit relationship with another person, which disentitled her from claiming maintenance. Consequently, holding that the statutory requirement under Section 125 Cr.P.C. was not satisfied, therefore the learned Family Court has dismissed the application filed by the applicant/wife.

7. Considering the submissions 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**.
9. Registrar (Judicial) is directed to transmit the original record to the concerned Family Court within a week from today for necessary information and follow up action.

Sd/-

(Ramesh Sinha)
Chief Justice