



2026:CGHC:3094

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 745 of 2023**

Chandrabhan Bandhe S/o Trivedi Bandhe Aged About 23 Years R/o
Barccha Post Lodha Tehsil- Pathariya, District- Mungeli, Chhattisgarh.

... applicant(s)**versus**

Smt. Preeti W/o Chandrabhan Bandhe Aged About 26 Years R/o
Dilwarapara Chorbhatti, Pathariya, Thana- Pathariya District- Mungeli
(C.G.), At Present Through Revaram Kaushik S/o Bisahuram Kaushik
R/o Ganesh Nagar Tifra, Tehsil- Bilaspur, District- Bilaspur,
Chhattisgarh.

... Respondent(s)

For applicant(s) : Ms. Vidhi Matlani holding the brief of Mr.
Sudhir Sharma, Advocate.

For Respondent(s) : Ms. Aditi Joshi, 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 30.05.2023 passed by learned Principal Judge, Family Court Bilaspur, District – Bilaspur (C.G.) in Misc. Criminal Case

No.27/2021, whereby, the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondent and directed the applicant to pay Rs.5,000/- per month to respondent towards maintenance.

2. Brief facts necessary for disposal of this revision are that the respondent filed an application under Section 125 of Cr.P.C. before the learned Family Court stating that her marriage with the applicant was solemnized on 31.10.2019 according to customary rites and that they are legally wedded spouses. It was alleged that after a brief period of peaceful cohabitation, the applicant and his family members subjected the respondent to mental and physical cruelty, compelling her to live separately. It was further contended that the applicant has sufficient income and is liable to pay maintenance. The applicant filed his reply denying the allegations and contended that the application was not maintainable due to lack of jurisdiction. He asserted that the respondent left the matrimonial home voluntarily, refused to live with his parents, and lodged false complaints against his family members. He further alleged that the respondent was capable of maintaining herself as she was a working woman and had illicit relations with another person. Vide order dated 30.05.2023, the learned Family Court partly allowed the application and awarded maintenance of Rs. 5,000/- per month to the respondent. Aggrieved by the said order, the applicant has preferred the present revision.

3. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is bad in law and on facts and is liable to be set aside as no valid marriage was ever solemnized between the applicant and the respondent, and therefore they are not legally husband and wife. The learned court below failed to appreciate the evidence on record, including the admission of the respondent that the applicant was a student residing in Raipur and had no source of income at the relevant time, which clearly negates his liability to pay maintenance. She further submits that the learned Family Court completely overlooked the fact that the respondent is a well-educated lady holding an M.A. degree and is a working woman who has been maintaining herself. It was also ignored that the applicant has no independent income and is burdened with the responsibility of maintaining his aged parents. Despite these material facts, the learned court illegally directed payment of maintenance from the date of application. Moreover, the learned Court failed to consider that the respondent had voluntarily left the matrimonial home and was allegedly involved in an illicit relationship with one Ajay Nimlikar, with whom she was living in a live-in relationship, and against whom she had lodged an FIR leading to Sessions Trial No. 09/2017, which facts were admitted by her in her deposition. The respondent has also lodged false cases against the applicant and his family members. Thus, the impugned order is arbitrary, illegal, and contrary to the facts and evidence on record.

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 partly allowed the application under Section 125 Cr.P.C. filed by the respondent and directed the applicant to pay Rs. 5,000/- per month to the respondent towards maintenance, observing that the respondent is the legally wedded wife of the applicant, that she is unable to maintain herself, and that she has sufficient cause to live separately from the applicant. The learned Court further held that the applicant, being a healthy and educated person, has the capacity to earn and has failed to disclose his true income, whereas no cogent evidence was produced to show that the respondent is presently earning. On these findings, the learned Family Court concluded that the respondent is entitled to maintenance as aforementioned, which cannot be said to be on higher side.
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

Akhil