



2026:CGHC:3095

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 740 of 2023**

Smt. Tilotma Verma Wife Of Suresh Verma Aged About 52 Years
 Resident Of Nehar Ward Bhatapara, Tahsil Bhatapara, District :
 Balodabazar-Bhathapara, Chhattisgarh

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

Suresh Verma Son Of Ghanshyam Verma Aged About 56 Years
 Resident Of Near Govind General Store, Village Tarra Tahsil Dharsiva,
 District : Raipur, Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Vijay Shankar Mishra, Advocate

For Respondent(s) : None

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 14.06.2023 passed by the Family Court Balodabazar, District- Balodabazar-Bhatapara (C.G.) in Misc. Criminal Case No.212/2022, whereby the learned Family Court has partly

allowed the application of the applicant and granted maintenance of Rs.3000/-.

2. Brief facts necessary for disposal of this revision are that the marriage between the applicant and the non-applicant was solemnized on 21.06.1991 as per Hindu rites, and the applicant resided at her matrimonial home till 2018, out of which wedlock two sons were born. It is the case of the applicant that since 2018 the non-applicant became addicted to liquor and gambling, subjected her to physical and mental cruelty, and maintained an extra-marital relationship, due to which she was compelled to live separately from 14.08.2020. The applicant filed an application under Section 125 CrPC seeking maintenance, pleading that she has no independent source of income, is about 52 years of age, suffering from serious ailments, and is dependent upon her brother, whereas the non-applicant is earning from private employment and agricultural income and is financially capable to maintain her. Despite social interventions and directions to provide maintenance, the non-applicant failed to do so. The Family Court, after considering the pleadings and evidence, partly allowed the application and directed the non-applicant to pay Rs.3,000/- per month as maintenance, which being inadequate and on the lower side has given rise to the present revision.
3. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court suffers from serious infirmities and non-application of mind, as the Court failed to

properly consider the age, health condition, and helpless circumstances of the applicant, who is about 52 years old and is suffering from various serious and chronic diseases. The medical documents placed on record as Exhibits A-1 to A-3 clearly establish that the applicant requires continuous medical treatment and has to incur substantial expenditure every month towards medicines and treatment, yet the learned Family Court ignored these vital aspects while determining the quantum of maintenance. It is further submitted that owing to her age and ill health, the applicant is not in a position to undertake any work or earn any supplementary income, and therefore is wholly dependent upon others for her survival.

4. He further submits that the maintenance amount of merely Rs.3,000/- per month awarded by the learned Family Court is grossly inadequate, unreasonable, and arbitrary, as the said amount is not sufficient even to meet the basic necessities of life such as food, clothing, and shelter, let alone medical expenses, in the present day cost of living. The learned Family Court also failed to appreciate the admission made by the non-applicant regarding his habitual consumption of liquor and involvement in gambling, which clearly reflects his irresponsible conduct and neglect towards the applicant and strengthens the applicant's case for grant of higher maintenance.
5. It is further submitted that the learned Family Court did not properly weigh the overall facts and circumstances of the case,

the financial capacity of the non-applicant, and the pressing needs of the applicant, thereby resulting in grave injustice to her. The impugned order, therefore, is unsustainable in the eyes of law and deserves to be set aside or suitably modified by enhancing the amount of maintenance.

6. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
7. From perusal of the impugned order, it transpires that the Family Court has partly allowed the application under Section 125 of Cr.P.C. filed by the applicant and has granted maintenance of Rs.3,000/- observing that the applicant is the legally wedded wife of the respondent, that she is unable to maintain herself, and that she has sufficient cause to live separately due to the respondent's conduct of habitual drinking, gambling, cruelty, and failure to fulfill marital and domestic obligations. The Family Court further held that the respondent, being a physically and mentally fit person and having access to ancestral property, has the capacity to earn and maintain the applicant but has neglected and refused to do so, thereby entitling the applicant to maintenance as aforementioned, which cannot be said to be on lower side.
8. Considering the submission advanced by the learned counsel for the applicant 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.

9. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-
(**Ramesh Sinha**)
Chief Justice

Akhil