



2026:CGHC:3700

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 938 of 2023

Ramsharan S/o Lt. Shri Ginaram Aged About 53 Years Occupation Ranger Forest Department, Resident Of Mayapur, Chandani Chowk, Near Gas Godown, Ambikapur, District Surguja (Chhattisgarh) Present Resident At Forest Colony, In Front Of Kotwali, Surajpur, District : Surajpur, Chhattisgarh

... Applicant(s)

versus

1 - Smt. Meena Devi @ Sewapati Smt. Meena Devi @ Sewapati Aged About 48 Years Resident Of Mayapur, Chandani Chowk, Near Gas Godown, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

2 - Mathura Sonwani S/o Ramsharan Sonwani Aged About 20 Years Resident Of Mayapur, Chandani Chowk, Near Gas Godown, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

3 - Mahi Sonwani D/o Ramsharan Sonwani Aged About 15 Years Respondent No. 3 Is Minor, Through The Natural Guardian Mother Smt. Meenadevi @ Sewapati Resident Of Mayapur, Chandani Chowk, Near Gas Godown, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. V.K. Pandey, Advocate.
For Respondent(s) : Mr. Sunil Tripathi and Ms. Varsha Sharma,
Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21/01/2026

1. The applicant has filed this criminal revision against the order dated 13.07.2023 passed by learned Family Court, Ambikapur, District – Surguja (C.G.) in Misc. Criminal Case. No.68/2019, whereby, the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondents and directed the applicant to pay Rs.4,000/- per month to respondent No.1 and Rs.3,000/- per month to respondent No.3 towards maintenance.
2. Brief facts necessary for disposal of this revision are that the respondents filed an application under Section 125 Cr.P.C. alleging that respondent No.1 was married to the applicant about 25 years ago as per Hindu rites and that out of the said relationship respondents No.2 and 3 were born, and though they were earlier maintained by the applicant, he later neglected them due to an alleged illicit relationship, compelling them to seek maintenance claiming the applicant earned Rs.60,000/- per month; the applicant denied the marital relationship and neglect, contending that respondent No.1 was already married to another person, that he never married her, that he was maintaining respondents No.2 and 3 who were residing in his house, and that

his income was limited with substantial loan deductions; after recording evidence of both sides, the learned Family Court partly allowed the application and awarded maintenance of Rs.4,000/- per month to respondent No.1 and Rs.3,000/- per month to respondent No.3 while rejecting the claim of respondent No.2 on the ground of majority, giving rise to the present revision.

3. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is contrary to the facts, evidence and material available on record and suffers from serious illegality and perversity, and is therefore liable to be set aside. He further submits that the learned Family Court failed to appreciate that the respondents did not produce any cogent or reliable evidence to establish the legal marital status of respondent No.1 with the applicant, nor any trustworthy proof regarding the income of the applicant or the existence of sufficient cause for living separately, yet maintenance was erroneously granted in favour of respondents No.1 and 3. He also submits that the learned Family Court further overlooked the evidence showing that the respondents are residing in the house constructed by the applicant and are deriving rental income therefrom, and also failed to consider that the applicant is living separately due to ill-treatment by the respondents. The quantum of maintenance awarded is excessive and based on improper appreciation of evidence, rendering the impugned order unsustainable in law.

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 respondents and directed the applicant to pay Rs.4,000/- per month to respondent No.1 and Rs.3,000/- per month to respondent No.3 towards maintenance observing that respondent No.1 is the legally wedded wife of the applicant and she has no independent source of income and is unable to maintain herself, the respondent No.3 is a minor daughter pursuing her studies and dependent upon the applicant, the applicant has sufficient means and earning capacity to provide maintenance, and that respondent No.1 is living separately for just and sufficient reasons due to the conduct of the applicant, while rejecting the claim of respondent No.2 on the ground of attaining majority.
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**.

Sd/-

(Ramesh Sinha)
Chief Justice

Akhil