



2026:CGHC:4223

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 957 of 2022**

Manoj Soni S/o Late Harikishan Soni Aged About 40 Years R/o Sonarpara,
Rajnandgaon, Police Station Kotwali, Tahsil Rajnandgaon, District :
Rajnandgaon, Chhattisgarh

... Applicant**versus**

1. Rajkumari Soni W/o Manoj Soni Aged About 35 Years R/o Bramhanpara, Police Station Durg Tahsil Durg, District : Durg, Chhattisgarh
2. Master Kaustum Soni Aged About 06 Years, Legal Guardian Mother Rajkumari Soni, (Respondent No. 1) R/o Bramhanpara, Police Station Durg Tahsil Durg, District : Durg, Chhattisgarh

... Respondents

For Applicant : Ms. Ankita Goswami, Advocate on behalf of Mr.
Pushpendra Kumar Patel, Advocate.

For Respondent : Mr. Shikhar Sharma, Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****23.01.2026**

1. Heard Ms. Ankita Goswami, learned counsel, appearing on behalf of Mr. Pushpendra Kumar Patel, learned counsel, for the applicant. Also heard Mr. Shikhar Sharma, learned counsel, appearing for the respondent.
2. The present revision has been filed by the applicant with the following prayer:



"It is therefore, respectfully prayed that this Hon'ble Court may kindly be pleased to set-aside the impugned order dated 20.07.2022, passed by the court of Principal Judge, Family Court, Durg, District: Durg (C.G.), presiding officer Shri Narendra Singh Chawla, in Criminal Case No. 106/2016, or reduced the maintenance amount by suitably modify the order, in the interest of justice."

3. Facts of the case are that respondent No. 1 solemnized her marriage with the applicant on 04.06.2014 according to Hindu customs and rituals. Respondent No. 2 is the son of respondent No. 1. On the report of respondent No. 1 lodged at Kotwali Police Station, Rajnandgaon, offences under Sections 498-A/34, 354, 323, and 506-B of the Indian Penal Code were registered against the applicant and his family members. The present respondents filed an application under Section 125 of the Cr.P.C. claiming maintenance of Rs. 30,000/- per month, on the ground that after about 4-5 months of marriage, the applicant and his family members subjected the respondents to cruelty. Due to the alleged cruelty, the respondents lodged the aforesaid First Information Report against the applicant and his family members. It was further contended by the respondents that they have no source of income to maintain themselves, whereas the applicant has sufficient means. On these grounds, the respondents prayed for grant of maintenance of Rs. 30,000/- per month from the applicant.
4. The applicant filed his reply denying all the allegations made in the application and specifically stated that neither he nor his family members ever tortured the respondents. On the contrary, respondent No. 1 harassed the applicant and his family members and, without any



sufficient reason, left the matrimonial home. Therefore, the applicant prayed for dismissal of the application filed by the respondents.

5. Learned Family Court, after framing the issues and recording the evidence of the parties, passed the order dated 20.07.2022, whereby the application filed by the respondents was partly allowed, granting maintenance of Rs. 6,000/- per month in favour of respondent No. 1 and Rs. 4,000/- per month in favour of respondent No. 2, from the date of presentation of the application, i.e., 01.02.2016.
6. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is contrary to the facts and evidence available on record. The learned Family Court has not properly appreciated the evidence on record. She submits that learned Family Court failed to consider that the respondents were not able to prove the income of the applicant. The learned Family Court awarded maintenance in favour of the respondents on the higher side, considering the financial condition of the applicant. She further submits that learned Family Court, without properly appreciating the evidence and material on record, adopted an arbitrary approach and illegally allowed the application filed by the respondents. The learned Family Court failed to decide the matter in its proper perspective and, by adopting an arbitrary approach, illegally allowed the application. She further submits that the applicant, by way of evidence, established that respondent No. 1 left the matrimonial home without any sufficient reason, therefore, as per law, she is not entitled to claim maintenance from the applicant. She also submits that the learned Family Court, without properly appreciating the facts and law, granted maintenance from the date of presentation of the application, i.e., 01.02.2016, which is illegal and liable to be modified.
7. On the other hand, learned counsel, appearing for the respondents



opposes the prayer made by the learned counsel for the applicant and supports the impugned order passed by the learned Family Court, Durg (C.G.), in Criminal Case No. 106/2016.

8. I have heard learned counsel for the parties and perused the judgment of the learned Family Court.
9. Considering the submission advanced by the learned counsel for the parties, materials available on record and also considering the price index and medical expenses, total amount awarded to the respondents cannot be said to be shockingly high warranting interference by this Court in the present revision petition.
10. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-
(Ramesh Sinha)
Chief Justice

Abhishek