



2026:CGHC:4217

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 10 of 2024**

Raghumani Bhagat S/o Deharu Ram Bhagat, Aged About 40 Years R/o Dhanlaxmi Nagar, Ward No. 05, Near Santoshi Mandir, Bhanpuri, Birgaon, Raipur, Tahsil And District Raipur Chhattisgarh.

... Applicant**versus**

Smt Soma Bhanu W/o Raghumani Bhagat, Aged About 33 Years R/o Village Semara, P.O. Sanatorium Pendra, District Gaurella -Pendra Marwahi Chhattisgarh. Present R/o Laxmi Bhanu (Mother), New Sarkanda, Gali No. 04, Bilaspur District Bilaspur Chhattisgarh.

... Respondent

For Applicant : Mr. Vivek Verma, Advocate.

For Respondents : Ms. Monika Singh, Advocate.

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

1. Heard Mr. Vivek Verma, learned counsel, appearing for the applicant. Also heard Ms. Monika Singh, learned counsel, appearing for the respondent.
2. The present revision has been filed by the applicant with the following prayer:

“ It is therefore, prayed that this Hon’ble Court may kindly be pleased to allow the application for revision and set-aside the ex-parte impugned order dated



10.08.2023, in the interest of justice.”

3. Facts of the case are that the the respondent filed an application under Section 125 of the Cr.P.C. seeking maintenance from her husband, namely Raghumani Bhagat. The marriage between the respondent and the applicant was solemnized on 06.12.2014, and out of the wedlock, a baby girl was born on 13.11.2015. Thereafter, the respondent filed an application under Section 125 of the Cr.P.C. for maintenance before the Family Court, Bilaspur, pursuant to which the Family Court issued notice to the applicant.
4. The applicant appeared before the Family Court on 28.01.2023, whereafter the matter was fixed for recording the respondent's evidence and the next date was fixed as 17.02.2023.
5. The applicant appeared before the Family Court on 17.02.2023, however, the Presiding Officer was on leave and, therefore, the matter was adjourned to 20.02.2023.
6. The applicant is a Constable in the Police Department and is posted at Mahasamund, District Mahasamund (C.G.). The applicant's name was considered for promotion from Constable to Head Constable, and in this regard, the Office of the Superintendent of Police, Mahasamund, vide letter dated 19.04.2023, directed the Additional Superintendent of Police to furnish advice in respect of the applicant.
7. Vide letter dated 24.05.2023, the applicant was considered for promotion from Constable to Head Constable, and his name appeared at Serial No. 2 in the list issued by the Office of the Inspector General of Police, Raipur Range. The Office of the Superintendent of Police, Mahasamund, vide letter dated 28.07.2023, informed the Superintendent of Police, Police Training School, Mana, Raipur, regarding the P.P. Course Training for



the selected candidates and directed the candidates to join the said course on or before 31.07.2023 at 6:00 PM.

8. The applicant was promoted to the post of Head Constable, and thereafter, the Police Training School, Mana, Raipur, vide letter dated 29.07.2023, issued joining instructions for undergoing P.P. Course Training prior to promotion. The said training commenced on 01.08.2023. The applicant was relieved from the Office of the Superintendent of Police, Mahasamund, to the Office of the Superintendent of Police, Police Training School, Mana, Raipur. The Superintendent of Police, Mahasamund, issued a movement order dated 31.07.2023, wherein the name of the applicant appears at Serial No. 4. The applicant could not appear before the Family Court solely due to his engagement in the P.P. Course Train
9. The Learned Family Court, Bilaspur, vide order dated 10.08.2023, partly allowed the application under Section 125 of the Cr.P.C. for grant of maintenance preferred by the respondent, and the applicant was directed to pay maintenance of Rs. 8,000/- to the respondent.
10. Learned counsel for the applicant submits that the impugned order passed by the Principal Judge, Family Court, Bilaspur is arbitrary and in violation of the principles of natural justice. He also submits that the applicant appeared before the Family Court on 13.07.2023 and filed an application for setting aside the ex parte order. The Family Court fixed the next date as 18.07.2023 for filing of reply to the application for setting aside the ex parte order. However, the respondent neither filed any reply nor gave any response. The matter was repeatedly fixed for filing reply on 13.07.2023, 18.07.2023, and 25.07.2023, but the respondent failed to file any reply to the said application. He also submits that the applicant was promoted from Constable to Head Constable, and prior to promotion it



was mandatory to undergo the P.P. Course. Therefore, the applicant joined the P.P. Course at the Police Training School, Mana, and all relevant documents have been annexed with the present revision. The applicant filed an application for setting aside the ex parte order, however, without properly considering the said application, the Family Court passed the impugned order, which is illegal, arbitrary, and in violation of the principles of natural justice. He further submits that without providing proper opportunity to the applicant and without deciding the application for setting aside the ex parte order, the learned Family Court passed the impugned order, which is illegal, arbitrary, and in violation of the principles of natural justice.

11. On the other hand, learned counsel, appearing for the respondent opposes the prayer made by the learned counsel for the applicant and supports the impugned order passed by the learned Family Court, Bilaspur (C.G.), in Misc. Criminal Case No.499/2022.
12. I have heard learned counsel for the parties and perused the judgment of the learned Family Court.
13. 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 respondent cannot be said to be shockingly high warranting interference by this Court in the present revision petition.
14. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-
(Ramesh Sinha)
Chief Justice