



2026:CGHC:2995



2026:CGHC:2995

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 93 of 2026

1 - Smt. Suman W/o Anuj Kumar Aged About 36 Years R/o Village Satpata Tehsil And Distt. Surajpur, Chhattisgarh.

2 - Kumari Anshika D/o Anuj Kumar Aged About 9 Years Minor Through Natural Guardian Her Mother Applicant No. 1 Smt. Suman W/o Anuj Kumar Aged About 36 Years, R/o Village Satpata, Tehsil And Distt. Surajpur, Chhattisgarh.

3 - Kumari Shivangi D/o Anuj Kumar Aged About 6 Years Minor Through Natural Guardian Her Mother Applicant No. 1 Smt. Suman W/o Anuj Kumar Aged About 36 Years, R/o Village Satpata, Tehsil And Distt. Surajpur, Chhattisgarh.

... Applicants

versus

Anuj Kumar S/o Kripal Ram Aged About 59 Years R/o Village Bhuneshwarpur, P.S. And Tehsil Ramanuj Nagar, Distt. Surajpur, Chhattisgarh.

---- Respondents

For Applicant	: Mr. Aman Upadhyay, Advocate.
---------------	--------------------------------

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

19.01.2026

1. Heard Mr. Aman Upadhyay, learned counsel for the applicant.
2. This Criminal Revision is being aggrieved of the order dated 17.09.2025 passed by the learned Family Court, Surajpur, District – Surajpur (C.G.) in Misc. Criminal Case No. 233/2024, whereby the learned Family Court, dismissed the application under Section 144 of



BNSS with respect to applicant No.1 and allowed the application under Section 144 of BNSS with respect to applicants No. 2 and 3, and directed the respondent that he has to pay the allowance of maintenance at the rate of Rs. 1,500/- each to the applicants No. 2 and 3.

3. The prosecution story in brief is that the marriage of applicant No. 1 was perform with respondent in year 2010 as per custom & castes and out of their wedlock to Daughter child were born. After born of child the respondent started cruel conduct with applicant No.1/wife due to this reason the applicant No. 1/wife are residing in the house if parents in last 2 years. In month of 2023 applicant/wife suffer from abortion and her treatment was going under the medical treatment during this period the father of respondent has been expired and she could not attend her father in law funeral, Due to this reason the respondent/husband level allegation of not attending and did not permit to enter his house. It is further submission of the applicant/wife the respondent/non applicant husband has instituted the case under Section 98 of CrPC for saving from their liabilities. This application has been disposed of. The respondent/husband has establish physical relationship with another woman and residing with her and respondent is working on the post of mechanic in govt. Service temporarily thereby he earns 14000/- per month as well as he also earns 15000/- by other sources by doing as a work of Mistry. Thus, the applicant has instituted an application for their maintenance whereby praying for granting amounting of maintenance 150/- per month.
4. The respondent herein has filed the reply to the said application and



has denied the averments raised by the applicants. The learned Family Court has recorded the statement of the parties. The witnesses were examined before the learned Family Court including the applicants and the respondent. The learned Family Court by passing the impugned order, has dismissed the application under Section 144 of BNSS with respect to applicant No.1 and allowed the application under Section 144 of BNSS with respect to applicants No. 2 and 3, and directed the respondent that he has to pay the allowance of maintenance at the rate of Rs. 1,500/- each to the applicants No. 2 and 3. Hence, this revision.

5. Learned counsel appearing for the applicant submits that the impugned order is contrary to the facts, law and circumstances of this case. The applicant No.1/wife left of the respondent only on account of the mental and physical cruelty treated by the respondent to her, and the mental and physical harassment is a sufficient reason for a wife to live separately. Therefore, the impugned order is contrary to the facts, and the same is liable to be modified.
6. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
7. Considering the submissions advanced by the learned counsel for the applicant, and from the perusal of the order of the Family Court, it transpires that no any good ground has been raised on merits by the applicants' side, thus, it transpires that after hearing all the statements of the witnesses and perusing the evidence available on record, the learned Family Court has passed the impugned order, and there is no any illegality and infirmity while passing the same which requires interference by this Court.



8. Accordingly, the criminal revision being devoid of merit is liable to be
and is hereby **dismissed**.
9. Let a certified copy of this order be transmitted to the concerned trial
Court for necessary compliance and follow up action, if any.

Sd/-
(Ramesh Sinha)
Chief Justice

Rajshekhar