

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRLRC.Nos.691 OF 2023 AND 239 OF 2024

Common Prayer

Criminal Revision Case filed under Section 397(1) of Cr.PC R/w 401 of Cr.P.C aggrieved by the Order dated 31.07.2023 made in M.C.No.25 of 2021 on the file of the Court of the VI Additional District and Sessions Judge-cum- Family Court, Ranga Reddy District at Kukatpally.

CRLRC NO: 691 OF 2023

Between:

1. Neelima Vanguru, Wife of Bommi Narasimha Sankeerth Reddy, Aged about 37 years, Occupation Private Job residing at Flat No.B1004, 10th Floor, B Block, Trendset Jayabheri Elevate, Kothaguda, Kondapur, Madhapur, Hyderabad, Telangana State. (earlier resident of Flat No.1606, C-Block, Ramky Towers, Gachibowli, Hyderabad)
2. Bommi Aarush Reddy, Son of Bommi Narasimha Reddy, Aged about 11 years, Occupation Student
3. Bommi Amaira Reddy, Daughter of Bommi Narasimha Sankeerth Reddy, Aged about 8 years, Occupation Student All are presently residing at Flat No.B1004, 10th Floor, B Block, Trendset Jayabheri Elevate, Kothaguda, Kondapur, Madhapur, Hyderabad, Telangana State. (earlier resident of Flat No.1606, C-Block, Ramky Towers, Gachibowli, Hyderabad) Petitioners No.2 and 3 are minors and represented by Petitioner No.1 being the mother and Natural Guardian

...Petitioners

AND

1. Bommi Narasimha Sankeerth Reddy, Son of B.Ramana Reddy Aged about 41 years Occupation Overseas Employment, Resident of H.No.41, Vijaya Raghava Road, T-Nagar, Chennai, Tamil Nadu.
2. The State of Telangana, Represented by its Public Prosecutor, High Court for the State of Telangana

...Respondents

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.1 to Forthwith pay the arrears of maintenance to the Petitioner No.1 to 3 of Rs.42,37,500/- which is as per the Orders dated 11.06.2021 and 02.06.2023 passed by the Learned VI Additional District and Sessions Judge-cum-Family Court, Ranga Reddy District at Kukatpally in M.C.No.25 of 2021, pending disposal of the above Criminal Revision Case.

I.A. NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.1 to produce his Income Tax Returns of 2021, 2022 and 2023, Bank Statements of all his Bank Accounts from 2020 to October, 2023, pay slips from 2020 to October, 2023, pending disposal of the above Criminal Revision Case.

I.A. NO: 3 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.1 to pay monthly maintenance of Rs.14,41,971.53/- per month to the Petitioner No.1 to 3 from November, 2023, pending disposal of the above Criminal Revision Case.

I.A. NO: 1 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.1/ Respondent No.1 herein: (a). To file his bank statements of all his bank accounts holding in India and the U.S.A from January, 2017 to till the date of the Order in this IA; (b). To explain the unaccounted amounts of more than Rs. 1,50,00,000/- transferred by him into the Account No.52011972074; (c). To file his pay slips of the year 2021, 2022, 2023 and 2024; (d). To file his Income Tax Returns of years 2021, 2022 and 2023.

Counsel for the Petitioners: Sri Dharmesh D.k.jaiswal

**Counsel for the Respondent No.1: Sri Arun Kumar Doddla,
Additional Public Prosecutor**

**Counsel for the Respondent No.2 : Sri J Prabhakar, senior Counsel
representing Sri Kuldeep Jadhav**

CRLRC NO: 239 OF 2024

Between:

Sri Bommi Narasimha Sankeerth Reddy, S/o. Late Sri Ramana Reddy, Aged about 42 years, Occ Pvt. Employee, R/o H.No. 41, Vijaya Raghava Road, T-Nagar, Chennai, Tamilanadu. Present Address 801 W. 5th Street, Apt 2110, Austin, Texas, USA.

AND

...Petitioner

1. Neelima Vanguru, W/o. Sri Bommi Narasimha Sankeerth Reddy Aged 37 about years, Occ Pvt. Service R/o. Flat No. 1606, C-Block, Ramky Towers, Gachibowli, Hyderabad, Telangana, India
2. Bommi Aarush Reddy, Son of Bommi Narasimha Sankeerth Reddy, Aged about 11 years, Occupation Student
3. Bommi Amaira Reddy, Daughter of Bommi Narasimha Sankeerth Reddy, Aged about 8 years, Occupation Student All presently residing at Flat No. B1004, 10th Floor, B Block, Trendset Jayabheri Elevate, Kothaguda, Kondapur, Madhapur, Hyderabad, Telangana State. Petitioners No.2 and 3 are minors and represented by Respondent No. 1 being the mother and guardian.
4. The State of Telangana, Rep. by it's Public Prosecutor, High Court at Hyderabad

...Respondents

I.A. NO: 4 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue a stay in the orders of MC.No.25 of 2021, pending disposal of the above Criminal Revision Case.

I.A. NO: 5 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct Respondent No.1 to file all bank statements for the last 4 years for the SBI account into which the monthly maintenance amount is currently being deposited into by the Petitioner, the bank statements for the last 5 years showing the withdrawal of sums of money from the bank to make the all those monthly expense payments that Respondent No. 1 is claiming to be making by cash, Respondent No. I's latest IT Returns for 2021, 2022 and 2023, Respondent No. I's latest 3 years of Bank

statements of all her Bank accounts, pay slips from 2020, pending disposal of the above Criminal Revision Case.

I.A. NO: 6 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to reduce the monthly maintenance amount to a more nominal and manageable amount about pending disposal of the above Criminal Revision Case.

I.A. NO: 7 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.1/ Petitioner herein: a. To file his bank statements of all his bank accounts holding in India and the U.S.A from January, 2017 to till the date of the Order in this IA; b. To explain the unaccounted amounts of more than Rs. 1,50,00,000/- transferred by him into the Account No.52011972074; c. To file his pay slips of the year 2021, 2022, 2023 and 2024; d. To file his Income Tax Returns of years 2021, 2022 and 2023.

I.A. NO: 1 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to produce before this Hon'ble court the copy of FDR for Rs.32,98,762.51 ps., which had originally matured on 16.09.2014 and was renewed from time to time with ICICI Bank, Banjara Hills, Hyderabad vide A/c No.038215000263 within such time as may be directed by this Hon'ble court and on the respondent No.1 failing to do so, this Hon'ble court may be pleased to direct the Manager, ICICI Bank, Banjara Hills, Hyderabad to produce copy of the same before this Hon'ble court, pending CrI.RC.No.239/2024.

I.A. NO: 2 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct respondent No.1 to produce before this Hon'ble court the statement of account in respect of the account bearing A/c No.00000039242109899 with State Bank of India, Madhapur Br., Hyderabad for the period 31.04.2017 till date within such time as may be directed by this Hon'ble court and on the respondent No.1 failing to do so, this Hon'ble court may be pleased to direct the Manager, State Bank of India, Madhapur Br., Hyderabad to produce copy of the same before this Hon'ble court, pending CrI.RC.No.239/2024.

I.A. NO: 3 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive copy of the registered sale deed dt.11/04/2022 bearing Doc.No.5886/2022 registered in the office of Jt.Sub.Registrar-1, Ranga Reddy R.O., executed by Dr.K.Narayana in favour of Mrs.Neelima ie., Respondent No.1 herein relating to the property bearing Flat No.B 1004 on 10th floor, admeasuring 4096 sq.ft., saleable area which comprises 2842 sq.mtrs., of carpet area, including 3 car parking area(s) in multi-storied residential complex known as "TRENDSET JAYABHERI ELEVATE" including undivided share of land of 109 sq.yards situated at Kondapur (v) Serilingampally (mandal), Ranga Reddy District, and consider the same at the time of Disposal of Crl.RC.No.239/2024 (along with the connected Crl.RC.No.693/2021).

**Counsel for the Petitioners: Sri J Prabhakar, senior
 Counsel representing Sri Kuldeep Jadhav**

Counsel for the Respondent Nos.1 to 3 : Sri Dharmesh D.k.jaiswal

**Counsel for the Respondent No.4: Sri Arun Kumar Doddla,
 Additional Public Prosecutor**

The Court made the following: COMMON ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

**CRIMINAL REVISION CASE Nos.691 of 2023 & 239 of
2024**

DATE: 01.04.2026

Crl.R.C.No.691 of 2023

BETWEEN:

Neelima Vanguru and others

.....petitioners

And

Bommi Narasimha Sankeerth Reddy and another

.....Respondents

Crl.R.C.No.239 of 2024

BETWEEN:

Bommi Narasimha Sankeerth Reddy

.....petitioner

And

Neelima Vanguru and others

.....Respondents

COMMON ORDER

Since a common issue arises in both the criminal revision petitions, they are being taken up for disposal together by way of this common order.

2. Crl.R.C.No.691 of 2023 is filed by the petitioners-wife and children, challenging the order dated 31.07.2023 passed in M.C.No.25 of 2021 by the learned VI Additional District and Sessions Judge-cum-Family Court, Ranga Reddy District at Kukatpally.

3. Crl.R.C.No.239 of 2024 is filed by the petitioner-husband challenging the order dated 31.07.2023 passed in M.C.No.25 of 2021 by the learned VI Additional District and Sessions Judge-cum-Family Court, Ranga Reddy District at Kukatpally.

4. For the sake of convenience, the parties herein are referred to as they were arrayed in M.C. No. 25 of 2021.

5. The brief facts of the case are that petitioner No.1 had filed the maintenance case contending that petitioner No.1 was the legally wedded wife of the respondent and that

petitioners Nos.2 and 3 were their minor children born out of the wedlock. The marriage was solemnized on 03.06.2008, and the parties initially resided in the United States, where the respondent was employed. Due to matrimonial disputes, petitioner No.1 along with the children returned to India in October 2015 on the assurance that the respondent would relocate to India, which he failed to do. Petitioner No.1 had earlier obtained a decree for restitution of conjugal rights, while the respondent's divorce petition was dismissed. Despite the said decree and interim maintenance orders, the respondent neither joined the petitioners nor paid maintenance regularly. The petitioners asserted that petitioner No.1 was earning a modest salary, whereas the respondent was working as a Director in a U.S.-based company earning substantial income, and sought maintenance of Rs.12,00,000/- per month.

6. The respondent admitted the marital relationship but denied neglect and desertion. He contended that petitioner No.1 had voluntarily travelled to India along with the children on vacation with return tickets and subsequently chose not to return to the U.S. He denied having promised to relocate to

India and asserted that petitioner No.1 was gainfully employed with a high income sufficient to maintain herself and the children. The respondent claimed that his take-home salary after tax deductions was limited and that the maintenance claimed was exorbitant and exaggerated. He further contended that petitioner No.1 had transferred substantial funds from the sale of their U.S. property to her father's account and was living a lavish lifestyle. He asserted that he had opened fixed deposits in the names of the children and that he was not liable to pay maintenance to petitioner No.1.

7. Upon consideration of the pleadings, oral and documentary evidence, and the trial Court partly allowed the petition vide order dated 31.07.2023, holding that the respondent, having sufficient means, had neglected to maintain the petitioners. The trial Court found that the respondent had failed to comply with the decree for restitution of conjugal rights and had been irregular in paying maintenance despite Court directions. It further held that the petitioner No.1 did not have sufficient income to maintain herself and the children at the standard of living to which they were accustomed, particularly considering the respondent's

earning capacity. Drawing adverse inference against the respondent for non-disclosure of complete income details, the trial Court partly allowed the petition and granted maintenance of Rs.50,000/- per month to petitioner No.1 and Rs.2,00,000/- per month each to petitioners Nos.2 and 3, totalling Rs.4,50,000/- per month, payable from the date of petition after adjusting interim maintenance already paid. Aggrieved by the said order, the petitioners filed Crl.R.C.No.691 of 2023 and respondent filed Crl.R.C.No.239 of 2024.

8. Heard Sri Dharmesh D.K.Jaiswal, learned counsel appearing on behalf of the petitioners-wife as well as Sri J. Prabhakar, learned Senior Counsel representing Sri Kuldeep Jadhav, learned counsel appearing on behalf of the respondent - husband and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing on behalf of respondent - State in both cases.

9. Learned counsel for the petitioners had submitted that the trial Court failed to properly consider the oral and written submissions, resulting in an erroneous fixation of the quantum of maintenance and that although the trial Court

had drawn an adverse inference against the respondent for suppressing his true income and had noted his substantial earnings as reflected in his income tax returns, it failed to correctly determine his actual monthly income at the time of trial and consequently awarded an inadequate amount of maintenance. He further submitted that the trial Court incorrectly recorded the claim of the petitioners regarding the percentage of income payable as maintenance and ignored the detailed calculations and justifications placed on record.

10. Learned counsel for the petitioners contended that the respondent deliberately withheld his assets and liabilities affidavit, bank statements, and updated income tax returns in violation of the law laid down in **Rajnesh v. Neha**, warranting a stronger adverse inference. He further contended that the proven and unrebutted monthly expenses of the minor children were not adequately covered by the maintenance awarded and that the reduction of maintenance below the interim amount, which had been enhanced by the High Court, was unjustified and unsupported by reasons. In support of his submissions, he relied upon the binding precedents of the Hon'ble Supreme Court and various High Courts, asserted that

maintenance ought to have been fixed in proportion to the respondent's income, status, and standard of living, and prayed for enhancement of the maintenance accordingly. Therefore, he prayed the Court to set aside the order of the trial Court by allowing Crl.R.C.No.691 of 2023.

11. In support of his submissions, the learned counsel for the petitioner-wife relied upon the judgments of the Hon'ble Supreme Court in **Sunita Kachwaha v. Anil Kachwaha**¹, **Vinny Parmvir Parmar v. Parmvir Parmar**², **Kalyan Dey Chowdhury v. Rita Dey Chowdhury**³, **Chaturbhuj v. Sita Bai**⁴, **Rajnesh v. Neha**⁵, **Jasbir Kaur Sehgal v. District Judge, Dehradun**⁶, **Kulbhushan Kumar v. Raj Kumari**⁷, **Vipul Lakhanpal v. Pooja Sharma**⁸, **Mussaiddin Ahmed v. State of Assam**⁹, **Kiran Tomar v. State of U.P**¹⁰. and contended that maintenance must be fixed keeping in view the status of the parties, the income and earning capacity of the

¹ (2014) 16 SCC 715

² (2011) 13 SCC 112

³ (2017) 14 SCC 200

⁴ (2008) 2 SCC 316

⁵ (2021) 2 SCC 324

⁶ (1997) 7 SCC 7

⁷ (1970) 3 SCC 129

⁸ 2015 SCC OnLine HP 1252

⁹ (2009) 14 SCC 541

¹⁰ 2022 SCC OnLine SC 1539

husband, and the reasonable needs of the wife and children. He further contended that suppression of income by the husband warrants drawing of adverse inference and fixation of maintenance on a just and reasonable basis.

12. Learned counsel for the respondent-husband had submitted that the trial Court erred in fixing an excessive quantum of maintenance without properly appreciating the respondent's actual disposable income, ongoing expenses, and liabilities. He further submitted that substantial amounts belonging to the respondent, including fixed deposits and monies transferred ^{to} ~~from~~ the wife's account in the U.S. prior to separation, were ignored while computing arrears and that the income and expenses of the respondent were both in U.S. Dollars and that a mechanical conversion into Indian currency resulted in a distorted assessment of his standard of living, which was modest, as evidenced by his residence in a one-bedroom apartment and use of an old vehicle.

13. Learned counsel for the respondent contended that petitioner No.1 was gainfully employed, living at a higher standard of living, and had exaggerated the expenses of petitioner Nos.2 and 3 without supporting proof and that the

respondent had consistently produced documentary evidence of his income, bank statements, and expenses, whereas petitioner No.1 failed to disclose her bank statements and true income. He further contended that the respondent was bearing additional financial responsibilities, including insurance policies for the children, travel expenses to visit them, and maintenance of his widowed mother, and that the trial Court failed to give due weight to these factors, resulting in an unjust and unsustainable award of maintenance. Therefore, he prayed the Court to set aside the order of the trial Court by allowing Crl.R.C.No.239 of 2024.

14. In the light of the submissions made by both the learned counsel and upon careful examination of the material available on record, the main issue that arises for consideration in these criminal revision petitions is whether the quantum of maintenance awarded by the trial Court is just, proper, and in accordance with law.

15. This Court observes that the principles governing grant of maintenance are well settled by the Hon'ble Supreme Court in catena of judgments. It has been consistently held that maintenance must be determined having regard to the status

of the parties, the reasonable needs of the wife and children, and the financial capacity of the husband. In **Rajnesh v. Neha** (cited supra), the Hon'ble Supreme Court emphasized the mandatory disclosure of income and assets and held that adverse inference may be drawn in case of suppression. Similarly, in **Kalyan Dey Chowdhury v. Rita Dey Chowdhury** (cited supra), it was observed that a reasonable proportion of the husband's income may be awarded as maintenance, depending upon the facts of each case. Further, in **Chaturbhuj v. Sita Bai** (cited supra), it was held that the wife need not be absolutely destitute to claim maintenance, and the test is whether she is able to maintain herself in the same standard of living as in the matrimonial home. In **Jasbir Kaur Sehgal v. District Judge, Dehradun** (cited supra), it was reiterated that the amount of maintenance must enable the wife to live with dignity consistent with her status. Thus, the law mandates a realistic and holistic assessment of the income of the husband, and where there is suppression or non-disclosure, the Court is justified in drawing adverse inference and fixing just and reasonable maintenance.

16. In the present case, it is the specific contention of the learned counsel for the respondent-husband that petitioner No.1 is gainfully employed and earning a substantial monthly income and, therefore, is capable of maintaining herself as well as contributing towards the maintenance of the minor children. It is further contended that the expenses shown by petitioner No.1 in respect of the children are highly exaggerated, unsupported by documentary proof, and include imaginary heads such as recurring monthly birthday celebrations, multiple domestic servants, and inflated lifestyle costs, which, according to the respondent, are neither realistic nor reflective of their actual standard of living, particularly when the respondent himself resides in the United States in a modest one-bedroom apartment and manages household chores without domestic help. The respondent also emphasized that his income is subject to substantial tax deductions in the United States and that his expenses are incurred in U.S. Dollars, and therefore, a mechanical conversion of his gross income into Indian currency would lead to an erroneous and distorted assessment of his actual financial capacity.

17. *Per contra*, it is the contention of the learned counsel for the petitioner-wife that the respondent deliberately suppressed his true income, assets, and liabilities by failing to file a comprehensive affidavit as mandated by the law laid down in **Rajnesh v. Neha**, and that despite drawing an adverse inference, the trial Court failed to accurately assess the respondent's actual earning capacity. It is further contended that petitioner No.1 specifically claimed an amount of Rs.4,86,000/- per month towards the expenses of the minor children, supported by details relating to school fees, tuition, medical expenses, transportation, and general upkeep, whereas the trial Court awarded only Rs.4,00,000/- per month towards their maintenance. According to the petitioners, the awarded amount is inadequate, especially considering the respondent's admitted income and the standard of living to which the children were accustomed while residing in the United States.

18. As seen from the record, it is not in dispute that the marital relationship between petitioner No.1 and the respondent stands admitted and that petitioners Nos.2 and 3 are the children born out of the said wedlock. It is also

evident that the parties have been living separately since 2015. The dispute regarding separate residence primarily revolves around the allegation of petitioner No.1 that the respondent had assured her of relocating to India, which assurance was allegedly not fulfilled, whereas the respondent categorically denies having made any such promise and contends that decision of petitioner No.1 to remain in India was unilateral. It is also borne out from the record that petitioner No.1 had obtained a decree for restitution of conjugal rights and that the respondent's divorce petition was dismissed, and the challenge thereto is stated to be pending before the Hon'ble Supreme Court.

19. It is further evident that petitioner No.1 is presently residing in India along with the two minor children and is employed in a bank, earning approximately Rs.1,25,000/- per month. On the other hand, the respondent is residing in the United States and, according to his own version, is earning approximately Rs.19.75,500/- per month before taxes. The trial Court has taken into consideration the respective incomes of both parties, the earning capacity of the respondent, his failure to fully disclose his income particulars,

his non-compliance with earlier maintenance orders, as well as the needs and welfare of the minor children.

20. The trial Court has also taken into account the expenses claimed towards school fees, tuition, medical needs, and other necessities of the children, and while it did not accept the entirety of the expenses, it arrived at Rs.4,00,000/- per month towards the maintenance of petitioners Nos.2 and 3, in addition to Rs.50,000/- per month awarded to petitioner No.1. The award reflects a conscious balancing of the respondent's earning capacity, the wife's income, the children's needs, and the overall facts and circumstances of the case.

21. This Court finds that the trial Court has exercised its discretion judiciously and has neither acted arbitrarily nor ignored any material evidence. The quantum of maintenance awarded cannot be said to be either shockingly low or excessively high so as to warrant interference in revision jurisdiction. It is well settled that the revisional Court ought not to re-appreciate evidence or substitute its own view merely because another view is possible, unless the order under challenge suffers from perversity, illegality, or material

irregularity. However, this Court deems it appropriate to grant liberty to petitioner No.1 to seek enhancement of maintenance before the trial Court in the event of any change in circumstances.

22. In view of the above discussion, there is no illegality in the order passed by the trial Court, and there are no merits in the revision petitions to interfere with the order of the trial Court and therefore, the same are liable to be dismissed.

23. Accordingly, this Criminal Revision Cases are dismissed confirming the order dated 31.07.2023 passed in M.C.No.25 of 2021 by the learned VI Additional District and Sessions Judge-cum-Family Court, Ranga Reddy District at Kukatpally. However, the petitioners are at liberty to approach the trial Court for enhancement of maintenance in the event of any change in circumstances.

Miscellaneous applications, if any pending, shall stand closed.

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**SD/- MOHD.ISMAIL
DEPUTY REGISTRAR**

SECTION OFFICER

To,

1. The VI Additional District and Sessions Judge-cum- Family Court, Ranga Reddy District at Kukatpally
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)

3. One CC to SRI KULDEEP JADHAV, Advocate [OPUC]
4. One CC to SRI DHARMESH D.K.JAISWAL, Advocate [OPUC]
5. Two CD-Copies

ADK/KA

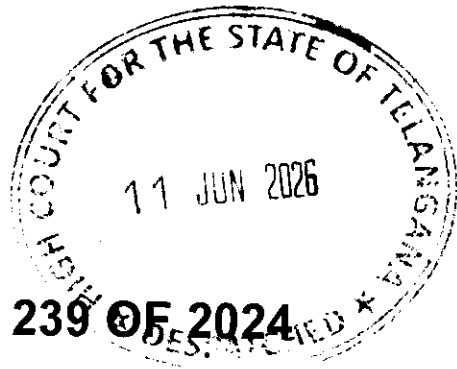
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HIGH COURT

DATED: 01/04/2026

COMMON ORDER

CRLRC.Nos.691 OF 2023 AND 239 OF 2024



DISMISSING THE BOTH CRLRCs

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8/6/26