

IN THE HIGH COURT OF JHARKHAND, RANCHI
Criminal Revision No. 574 of 2025

Shahida Praveen, aged about 27 years, wife of Imran Ansari,
resident of village and PO – Hariharpur, PS – Hariharpur, District
– Dhanbad, Jharkhand

.... Petitioner

-- Versus --

1. The State of Jharkhand

2. Imran Ansari, aged about 30 years, son of Late Qurban Ansari,
resident of village, PO and PS – Hariharpur, District – Dhanbad,
Jharkhand

.... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Kamdeo Pandey, Advocate

For the State :- Mrs. Shweta Singh, Advocate

For O.P. No.2 :- Mr. Manoj Kr. Sinha, Advocate

05/20.01.2026 Heard learned counsel appearing for the petitioner, learned
counsel appearing for the State and learned counsel appearing for the
opposite party No.2.

2. This petition has been filed against the judgment dated
23.09.2024 passed by learned Additional Principal Judge, Additional
Family Court-II, Dhanbad in Original Maintenance Case No.440 of 2022
whereby the petition filed by the petitioner under Section 125 of Cr.P.C.
has been partly allowed holding that the petitioner is not entitled for
grant of maintenance and minor children are entitled for maintenance of
Rs.3,000/- each to be paid by opposite party No.2.

3. Mr. Pandey, learned counsel appearing for the petitioner submits
that the marriage was solemnized with the opposite party No.2 on
12.11.2017 at Thakurchak, District – Giridih and after marriage the

petitioner has started conjugal life with her husband and she was blessed with one daughter aged about 4 years and another child son of 15 days. He further submits that the petitioner has stated that she has been tortured and ousted from matrimonial house and on this background the petition was filed which was partly allowed by the learned Court and on the flimsy ground for extramarital affair of the petitioner she has been denied maintenance. He then submits that this fact has not been proved before the learned Court in spite of that the learned Court has passed the said order and in view of that, that part of the order may kindly be set aside.

4. Learned counsel appearing for the State submits that it appears from the judgment of learned Court that the learned Court has dealt with this aspect of the matter in paragraph Nos.12 and 13 of the judgment. She submits that the judgment is well reasoned and there is no illegality in the order.

5. Learned counsel appearing for the opposite party No.2 also submits that the learned Court has dealt with this aspect of the matter and has given clear cut finding how the present petitioner was in extramarital relationship. He submits in view of that there is no illegality in the order of learned Family Court.

6. Learned Court while deciding the sole argument of learned counsel appearing for the petitioner has considered the statement of RW-2 and RW-3, who have supported the evidence of opposite party No.2 and stated that prior to marriage the petitioner was pregnant and only after six months of marriage the child was born and the petitioner herself

has deposed in the panchayati that she got pregnant prior to marriage and she is still residing along with Md. Hasim and in this background the learned Court has not allowed maintenance, so far this petitioner is concerned. There is no illegality so far this finding is concerned and if that fact has been proved before the learned Court the learned Court rightly passed the said order in light of sub-section 4 of Section 125 of Cr.P.C. and challenge of maintenance provided to the children are not made by learned counsel appearing for the petitioner. There is no illegality in the impugned order, as such this petition is dismissed.

(Sanjay Kumar Dwivedi, J.)

*Dated 20.01.2026
Sangam/*