

IN THE HIGH COURT OF JHARKHAND, RANCHI

Cr. Revision No. 763 of 2023

Yugal Kisku, aged about 35 years, son of late Gupin Kisku, resident of Village Shivanagar, PO Mohanpur, PS Hiranpur, Pakur Petitioner(s)

-- Versus --

- 1.The State of Jharkhand
- 2.Suhagini Soren, wife of Yugal Kisku, daughter of Nimulal Soren
- 3.Anand Kisku, son of Yugal Kisku,
Both resident of Villae Visanpur, PO and PS Hiranpur, District Pakur
(OP No.3 represented through his mother i.e. OP No.2.)

..... Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s)	:-	Mr. Gautam Kumar, Advocate Mr. Ashutosh Kumar Sinha, Advocate
For the State	:-	Mr. Abhay Kumar Tiwari, A.P.P.
For the O.P.No.2	:-	Mr. Anjani Kumar, Advocate

7/25.11.2025 This petition has been filed against the judgment dated 01.04.2023 passed by Principal Judge, Family Court, Pakur, in Original Maintenance Case No.86 of 2022 whereby the learned court has been pleased to allow the maintenance in favour of the O.P.No.2 and O.P.No.3 to the tune of Rs.17,000/- in total.

2. Learned counsel for the petitioner submits that the petitioner happened to be husband of the O.P.no.2 and the O.P.no.2 has filed a petition under section 125 Cr.PC for grant of maintenance in favour of the O.P.No.2 and O.P.No.3 who happened to be minor child born out of the said wed-lock. He further submits that in the said petition she has said that the petitioner is working as constable in Jharkhand Police and at the time of filing of the petition he was posted in Rajmahal however, he submits that now he is posted in the office of the Superintendent of Police, Sahibganj. He then submits that she has also alleged that the petitioner was having relationship with another woman for about two years and due to that, the petitioner used to assault the O.P.no.2 and in that view of the matter, she has been forced to leave the house. He then submits that the learned court has allowed the maintenance to the O.P.No.2 to the tune of Rs.11,000/- and to the O.P.No.3 to the tune of Rs.6,000/-, totaling to Rs.17,000/-. He further submits that the learned court has not considered the parameters of maintenance and in view of that the impugned order may

kindly be set aside.

3. Learned counsel for the respondent State submits that it appears from the order that the learned court has given cogent reason to pass such order and there is no illegality in the impugned order.

4. Learned counsel for the O.P.No.2 and O.P.No.3 submits that the learned court has appreciated the evidences on record either oral or documentary and thereafter has passed the said order. He then submits in view of that there is no illegality in the impugned order.

5. In view of the submissions made by the learned counsels appearing on behalf of the parties, it is an admitted position that the petitioner is husband of the O.P.no.2 and out of said wed-lock O.P.No.3 has born who happened to be minor child.

6. The reason is there of not living along with the petitioner by the O.P.nos.2 and 3 as the petitioner is said to be in relationship with another woman. Thus, it cannot be said that the O.P.no.2 on her own volition is residing separately.

7. Admittedly, the petitioner is posted as constable in Jharkhand Police and his salary is said to be Rs.40,000/-. It has been pointed out that Rs.15,000/- is further adding in his salary though agricultural work. The learned court has arrived at such finding on the evidences on record and considering the salary of the petitioner also. It is well settled that maintenance is required to be granted looking into the status of the husband and the wife. For the wife Rs.11,000/- is allowed and Rs.6,000/- is allowed for the minor child and there is no illegality in the impugned order. As such, this criminal revision petition is, hereby, dismissed.

8. Pending petition, if any, also stands disposed of, accordingly.

(Sanjay Kumar Dwivedi, J.)

Dated : 25th Nov., 2025
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