



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4814 of 2024

Jyoti Manjari Sahadeo* *Petitioner(s)

Mr. Rakesh Behera, Adv.

-versus-

Dillip Kumar Bhanjadeo* *Opposite Party(s)

Mr. Umakanta Barik, Adv.

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order No.

12.

ORDER

24.06.2026

1. This matter is taken up through hybrid arrangement.
2. Heard.
3. The present CRLMC has been filed assailing the order dated 25.10.2024 passed by the learned Addl. Sessions Judge, Talcher in Criminal Revision No.02 of 2024 arising out of the order dated 22.02.2024 passed by the learned S.D.J.M., Pallahara in C.M.C. No.11 of 2023 under Section 125 Cr.P.C.
4. The Petitioner-wife had instituted the proceeding under Section 125 Cr.P.C. claiming maintenance of Rs.20,000/- per month. It was her case that her marriage with the Opposite Party-husband was solemnized on 12.03.2018 according to Hindu rites and customs. After a



brief period of cordial marital life, she was allegedly subjected to physical and mental cruelty for non-fulfillment of demand of Rs.5,00,000/- from her parental home. It was further alleged that she was assaulted on 15.12.2022 causing fracture of her leg, for which she underwent treatment at her own expense. She also lodged Pallahara P.S. Case No.52 of 2023 under Sections 498-A/294/323/325 IPC read with Section 4 of the Dowry Prohibition Act. According to the Petitioner, she has no independent source of income and is unable to maintain herself.

5. The learned S.D.J.M., Pallahara, upon appreciation of the evidence on record, found that the Petitioner was unable to maintain herself and that the Opposite Party, who is working as a Livestock Inspector and earning a monthly salary, had sufficient means to maintain his wife. Accordingly, by order dated 22.02.2024, the learned S.D.J.M. directed payment of maintenance of Rs.12,000/- per month from the date of filing of the application.

6. The said order was challenged by the Opposite Party in Criminal Revision No.02 of 2024 mainly on the ground that his aged parents are dependent upon him and require medical care and financial support. The learned Addl. Sessions Judge, Talcher, by order dated 25.10.2024,



partly allowed the revision and reduced the maintenance amount from Rs.12,000/- to Rs.8,000/- per month.

7. On perusal of the materials available on record, this Court finds that the relationship between the parties as husband and wife is undisputed. The inability of the Petitioner-wife to maintain herself has also not been seriously disputed. The object of Section 125 Cr.P.C. is to prevent destitution and vagrancy and to ensure that a wife is able to live with dignity consistent with the status of her husband.

8. The materials on record reveal that the Opposite Party is a salaried employee working as a Livestock Inspector and was drawing salary of about Rs.37,367/- per month. There is also an assertion regarding additional agricultural income. At the same time, the plea of the Opposite Party that his aged parents are dependent upon him cannot be completely ignored. The obligation to maintain dependent parents is also a relevant circumstance while determining the quantum of maintenance.

9. The learned S.D.J.M. awarded maintenance of Rs.12,000/- per month, whereas the Revisional Court reduced the same to Rs.8,000/- per month. In the considered view of this Court, both the earning capacity of the Opposite Party and his responsibility towards his dependent parents are required to be balanced. Having



regard to the status of the parties, the rising cost of living, the absence of any independent income of the Petitioner-wife and the financial obligations of the Opposite Party, this Court is of the view that the ends of justice would be met if the maintenance is fixed at Rs.10,000/- (Rupees Ten Thousand) per month.

10. Accordingly, the order dated 25.10.2024 passed by the learned Addl. Sessions Judge, Talcher in Criminal Revision No.02 of 2024 is modified. The Opposite Party-husband shall pay maintenance of Rs.10,000/- (Rupees Ten Thousand) per month to the Petitioner-wife from the date of filing of the application under Section 125 Cr.P.C.

11. The arrear maintenance shall be calculated accordingly and shall be paid within a period of six months from the date of receipt of this order. The current maintenance shall be paid on or before the first week of every succeeding month.

12. Subject to the above modification, the CRLMC stands disposed of.

13. Issue urgent certified copy of this order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge