

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc(Pet.) No. 2116/2026

Ratan Singh S/o Shri Madan Singh, Aged About 40 Years, R/o
Malwani Tehsil Nohar District Hanumangarh.

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Rakesh Kanwar W/o Ratan Singh, R/o Malwani Tehsil
Nohar District Hanumangarh.

-----Respondents

For Petitioner(s)	:	Mr. Girdhar Singh Bhati
For Respondent(s)	:	Mr. Pawan Kumar, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

23/03/2026

Counsel for the petitioner has drawn attention of this Court towards order of learned trial court dated 02.8.2024, wherein clear finding has been recorded that the applicant is herself residing in matrimonial house and she is also running a grocery shop. Further, there are slips on record of selling crops issued by M/s. Sumendra Trading Company and as such she is earning her livelihood.

Counsel for the petitioner submits that the husband is a daily-wager and he is also paying the home loan wherein the applicant is residing and he has got no stable income. Although, maintenance of Rs.3000/- per month was fixed by the learned trial court but, however, the revisional court has excessively increased the same to Rs.14,000/- per month to be paid to the children.

This Court has considered the matter and has gone through the orders passed by the trial court as well as the revisional court.

The learned revisional court has not taken into consideration the fact of earnings of applicant/lady of agricultural land as well the shop which she is running. Further, she is residing in the matrimonial house but the learned revisional court has straightway increased the maintenance to Rs.14,000/- per month.

In view of above facts and circumstances of the case, this Court is inclined to interfere.

Issue notice.

Learned Public Prosecutor accepts notice on behalf of respondent-State. Notice, thus, is required to be issued to respondent no.2 only, returnable within a period of four weeks.

In the meanwhile, as an interim measure we direct that the petitioner would pay Rs.3000/- each, total Rs.6,000/- per month to his children Gunjan and Harsh from February, 2026 onwards.

List after four weeks.

(BALJINDER SINGH SANDHU),J