

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>CRLR No. 460 of 2026</u> <u>Hon'ble Alok Mahra, J.,</u> Mr. Pawan Mishra, learned counsel for the revisionist. 2. The present Criminal Revision has been preferred challenging the judgment and order dated 13.04.2026 passed by the learned Principal Judge, Family Court, Dehradun, whereby the application filed by the respondent under Section 125 Cr.P.C. has been partly allowed and the revisionist has been directed to pay maintenance of Rs. 20,000/- per month to the respondent from the date of filing of the application, i.e., 19.09.2024. 3. Learned counsel for the revisionist submitted that the revisionist and the respondent are not legally wedded husband and wife and that no marriage was ever solemnized between them in accordance with the provisions of the Hindu Marriage Act. It is, therefore, contended that the application filed by the respondent under Section 125 Cr.P.C. was not maintainable and that she is not entitled to claim maintenance from the revisionist. 4. It is further submitted that the respondent had earlier instituted proceedings under Section 125 Cr.P.C., being Suit No. 344 of 1990, against the revisionist. After appreciating the evidence on record, the learned Special Judicial Magistrate, CBI, Dehradun, vide judgment and order dated 20.11.1991, dismissed the said application on merits, specifically recording a finding that the parties were not legally husband and wife and, therefore, the respondent was not entitled to maintenance under Section 125 Cr.P.C. The respondent challenged the said judgment by filing Revision No. 122 of 1991 before the learned 1st Additional Sessions Judge, Dehradun. The said revision was also dismissed vide judgment and order dated 23.04.1993, affirming the findings recorded by the trial court.

			5. Learned counsel for the revisionist further submitted that the aforesaid judgments have attained finality, as they were never challenged before any higher forum. It is contended that after a lapse of more than thirty years, the respondent has once again filed an application under Section 125 Cr.P.C., which has been partly allowed by the learned Family Court, ignoring the earlier binding findings between the parties. 6. Issue notice to the respondent, returnable within four weeks. 7. List this case after receipt of the service report. 8. Considering the facts and circumstances of the case, and particularly the earlier findings recorded by the competent courts that the revisionist and the respondent are not legally wedded husband and wife, this Court is of the <i>prima facie</i> view that the learned Principal Judge, Family Court, may not have been justified in directing the revisionist to pay maintenance of Rs. 20,000/- per month to the respondent without considering the effect of the earlier judgments, which have attained finality. 9. As an interim measure, till the next date of listing, the effect and operation of the impugned judgment and order dated 13.04.2026 passed by the learned Principal Judge, Family Court, Dehradun, shall remain stayed. (Alok Mahra, J.) 17.06.2026 Shiks
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