



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 414 of 2026

Smt Pavitra Devi

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Dharmendra Kumar Singh, Jai Bahadur Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 87

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Sri Dharmendra Kumar Singh, learned counsel for the revisionist and Sri Mayank Awasthi, learned State Law Officer for the State.

2. Learned counsel for the revisionist submits that the instant criminal revision has been preferred with the relief which has been mentioned in the prayer clause. The relief mentioned in the prayer clause of the revision is delineated below:-

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to set aside the impugned judgment and judgment and order dated 13.11.2025 passed by Principal Judge, Family Court, Farrukhabad in Case No.28/12/2019 (Smt. Pavitra Devi Vs. Shivam Katheriya) under section 125 Cr.P.C., P.S. Mohammadabad, District Farrukhabad, otherwise revisionist shall suffer irreparable loss and injury. And/or pass such other and further order which this Hon'ble Court may deem fit and proper under the facts circumstances of the case. and"

3. Learned counsel for the revisionist submits that revisionist-wife has initiated a criminal proceedings under Section 498A IPC and other sections and the same is still pending against husband and his other family members. He further submits that due to physical and mental cruelty and demand of dowry, the revisionist-wife has been compelled to reside separately from her husband. He further submits that interested witness has deposed before the concerned trial court with certain allegations but

there is no documentary or electronic evidence against the revisionist (wife), thus, the order of refusal of grant of maintenance to the revisionist on the ground of adultery is not sustainable, hence, the order dated 13.11.2025 passed by the Principal Judge, Family Court, Farrukhabad is liable to be set aside.

4. The matter requires consideration.

5. Issue notice to O.P. No.2 returnable at an early date. Steps be taken within three days.

6. Opposite parties are granted four weeks' time for filing counter affidavit. Two weeks thereafter will be available to the learned counsel for the revisionists for filing rejoinder affidavit.

7. List this case on 05.05.2026 as fresh.

8. It is made clear that if after service of notice, O.P. No.2 does not appear, this Court will proceed to decide this matter in his absence on the next date.

(Praveen Kumar Giri,J.)

March 24, 2026
Manish Himwan