



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 1805 of 2024

Amit Goel

.....Revisionist(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Revisionist(s) : Amit Daga, Manglam Pandey
Counsel for Opposite Party(s) : G.A.

Court No. - 91

HON'BLE MADAN PAL SINGH, J.

1. Supplementary affidavit filed today on behalf of the revisionist is taken on record.

2. Heard Sri Amit Daga, learned counsel for the revisionist and learned AGA for the State.

3. This criminal revision has been filed by the revisionist with prayer to set aside the impugned judgment and order dated 04.01.2024 passed by the Additional Principal Judge, Family Court, Muzaffarnagar in Case No. 07/11 of 2021 (Smt. Arushi Goel & Anr. Vs. Amit Goel), under Section 125 Cr.P.C., whereby the revisionist has been directed to pay Rs. 35,000/- per month to the opposite party no.2, Rs. 15000/- per month to the opposite party no. 3 as maintenance allowances from the date of application.

4. Learned counsel for the revisionist submits that the revisionist is working as Software Engineer in Noida and getting net salary of Rs. 1,34,765/- per month as per the salary slip of October, 2023, which is on record as Paper No. 47K/2 of the impugned judgment. It is further submitted that the maintenance amount awarded by the trial court is too excessive, constituting almost 50% of the total net income of the revisionist. In support of his contention has placed reliance upon the judgment of Hon'ble Apex Court in **Kulbhushan Kumar (Dr) v. Raj Kumari, (1970) 3 SCC 129**, the Hon'ble Supreme Court has observed that the maintenance allowances can be granted up to the extent of 25% of the net income of the husband. It is further submitted that the trial court while granting the maintenance allowances to the opposite party nos. 2 and 3 has not been complied with the guideline issued by the Hon'ble Apex Court in **Kulbhushan Kumar (Supra)** and has passed the impugned order, which is arbitrary in nature.

5. Matter requires consideration.
6. Issue notice to the opposite party no.2 returnable at an early date. Steps be taken within one week.
7. Learned counsel for the opposite parties may file their counter affidavit within three weeks. Rejoinder affidavit, if any, may be filed within one week thereafter.
8. Put up on 11th November, 2025 as fresh.
9. Till the next date of listing, effect and operation of the impugned judgment and order dated 04.01.2024 passed by the Additional Principal Judge, Family Court, Muzaffarnagar in Case No. 07/11 of 2021 (Smt. Arushi Goel & Anr. Vs. Amit Goel), under Section 125 Cr.P.C. shall remain stayed provided the revisionist shall continue to pay the monthly maintenance allowances of Rs. 20,000/- per month to the opposite party no.2 and Rs.10,000/- per month to the opposite party no. 3 (minor girl).
10. In case of default by the revisionist, interim protection granted shall automatically stands vacated.

September 18, 2025
Akbar

(Madan Pal Singh,J.)