



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 7322 of 2025

Sandeep Singh Rajpoot

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Gaurav Kumar Sharma, Nand Kishor
Mishra, Pawan Kumar Tripathi

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

Court No. - 85

HON'BLE MADAN PAL SINGH, J.

1. Heard Sri Kavindra Yadav, learned counsel for the revisionist and learned AGA for the State.

2. This criminal revision has been filed by the revisionist with prayer to set aside the impugned judgment and order dated 16.09.2025 passed by the Principal Judge, Family Court, Mahoba in Case No. 273 of 2023 (Smt. Bhagyashree Vs. Sandeep Singh Rajpoot), under Section 125 Cr.P.C., whereby the revisionist has been directed to pay Rs.10,000/- per month to the opposite party no.2 application as interim maintenance.

3. Learned counsel for the revisionist submits that the revisionist is presently unemployed and has no regular source of income. It is admitted by learned counsel for the revisionist that earlier the revisionist was working in a private company and was receiving a salary of Rs. 8,000/- per month. It is further submitted that opposite party no. 2 holds a degree of Auxiliary Nurse Midwifery (A.N.M.) and is a skilled woman, capable of earning a sufficient income and maintaining herself.

4. Learned counsel for the revisionist further submits that, as the revisionist has no regular source of income, the amount of maintenance awarded in favour of opposite party no. 2 is not commensurate with the income of the revisionist. It is an admitted fact that no documentary evidence regarding the income of the revisionist was filed by opposite party no. 2 before the trial court. It is apparent from the impugned order that the trial court has assessed the income of the revisionist solely on the basis of oral averments and has awarded maintenance in favour of opposite party no. 2 which is arbitrary in

nature.

4. Matter requires consideration.

5. Issue notice to the opposite party no.2 returnable at an early date. Steps be taken within one week.

6. 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.

7. Put up on 16.03.2026 as fresh.

8. Till the next date of listing, impugned judgment and order dated 16.09.2025 passed by the Principal Judge, Family Court, Mahoba in Case No. 273 of 2023 (Smt. Bhagyashree Vs. Sandeep Singh Rajpoot), under Section 125 Cr.P.C. shall remain stayed provided the revisionist shall continue to pay the monthly maintenance allowances of Rs. 65000/- per month to the opposite party no.2.

9. In case of default by the revisionist, interim protection granted shall automatically stands vacated.

January 16, 2026

Akbar

(Madan Pal Singh,J.)