



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL REVISION No. - 8162 of 2025**

Arshad Hussain

.....Revisionist(s)

Versus

State Of U.P. And 2 Others

.....Opposite  
Party(s)

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Counsel for Revisionist(s) : Anil Kumar Dubey, Chandra Bhan  
Dubey

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

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**Court No. - 85**

**HON'BLE MADAN PAL SINGH, J.**

1. Heard 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 01.11.2025 passed by the Principal Judge, Family Court, Muzaffar Nagar in Case No. 903/11 of 2021 (Smt. Nazia Parveen and another Vs. Arshad Hussain), under Section 125 Cr.P.C., whereby the revisionist has been directed to pay Rs.21,000/- per month to the opposite party no.2 and Rs. 6,000/- per month to the opposite party no.3 (minor son) from the date of filing of the application.
3. The sole contention of learned counsel for the revisionist is that the maintenance amount of Rs. 27,000/- awarded by the trial court in total is highly excessive and exorbitant and not commensurate with the income of the revisionist, who is working as an Assistant Teacher and is drawing a salary of Rs. 85,000/- per month after miscellaneous deductions. It is further contended that the trial court has awarded a maintenance allowance of Rs. 27,000/-, in total which is contrary to the law laid down by the Hon'ble Apex Court in **Rajnesh v. Neha and Another, (2021) 2 SCC 324**, and **Kulbhushan Kumar v. Raj Kumari, (1970) 3 SCC 129**, wherein the Hon'ble Apex Court has observed that the maintenance allowances can be granted to the extent of 25% of the net income of the husband, which come Rs. 20,000/- per month.
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 10.03.2026 as fresh.

8. Till the next date of listing, effect and operation of the impugned judgment and order dated 01.11.2025 passed by the Principal Judge, Family Court, Muzaffar Nagar in Case No. 903/11 of 2021 (Smt. Nazia Parveen and another Vs. Arshad Hussain), under Section 125 Cr.P.C., shall remain stayed provided the revisionist shall continue to pay the monthly maintenance allowances of Rs. 15,000/- per month to the opposite party no.2 and Rs. 5000/- per month to the opposite party no.3 (minor son).

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

**January 22, 2026**

Akbar

**(Madan Pal Singh,J.)**