



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 6609 of 2024

Abhishek Alias Monu

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Raj Kumar Sharma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 89

HON'BLE MADAN PAL SINGH, J.

1. Copy of the recovery warrant filed today which is marked as "x" is taken on record.
2. Heard Sri Raj Kumar Sharma, 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 08.11.2024 passed by the Principal Judge, Family Court, Kannauj in Misc. Case No. 687/12/2019 (Smt. Parul @ Pooja Vs. Abhishek @ Monu), 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 from the date of filing of the application.
4. The sole contention of the learned counsel for the revisionist is that the revisionist is a labourer working under the MANREGA scheme and in support thereof he has filed his job card. It is further submitted that the visiting card filed by opposite party no. 2 before the trial court as Paper No. 21-A does not belong to the revisionist but to his father. However, the trial court, merely on the basis of the said visiting card, assumed the income of the revisionist to be Rs. 1,00,000/- per month and awarded a maintenance allowance of Rs. 10,000/- per month in favour of opposite party no. 2, which is too excessive and exorbitant. It is further submitted that the trial court has awarded maintenance to opposite party no. 2 without properly assessing the income of the revisionist, which is contrary to law laid down by the Hon'ble Court in **Rajnesh v. Neha, (2021) 2 SCC 324** and **Kulbhushan Kumar (Dr) v. Raj Kumari, (1970) 3 SCC 129**.
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 15th January, 2026 as fresh.

9. Till the next date of listing, effect and operation of impugned judgment and order dated 08.11.2024 passed by the Principal Judge, Family Court, Kannauj in Misc. Case No. 687/12/2019 (Smt. Parul @ Pooja Vs. Abhishek @ Monu), under Section 125 Cr.P.C. and consequential order dated 04.10.2025 passed in Case No. 1001/12/2024 shall remain stayed provided the revisionist shall continue to pay the monthly maintenance allowances of Rs. 6000/- per month to the opposite party no.2.

10. In case of default by the revisionist, interim protection granted shall automatically stand vacated.

November 25, 2025

Akbar

(Madan Pal Singh, J.)