



2026:CGHC:17187

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 495 of 2026**

Manish Sahu S/o Khiyaram Sahu Aged About 26 Years R/o Village Chivri (Sirri)
P.S. Kurud, Distt. Dhamtari, Chhattisgarh.

... Applicant**versus**

1. Smt. Bhumika Sahu W/o Manish Sahu Aged About 26 Years R/o Village Chhanta Post Patewa Gobra Nawapara, Distt. Raipur, Chhattisgarh.
2. Minor Riya Sahu D/o Manish Sahu Aged About 5 Years Through Legal Natural Guardian Mother Smt. Bhumika Sahu, R/o Village Chhanta Post Patewa Gobra Nawapara, Distt. Raipur, Chhattisgarh.

... Respondents

For Applicant : Mr. C.R. Sahu, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****15.04.2026**

1. Heard Mr. C.R. Sahu, learned counsel, appearing for the applicant.
2. The present revision has been filed by the applicant with the following prayer:

"It is therefore, that this Hon'ble Court may kindly be pleased to allowed criminal revision and set-aside impugned order dated 17.03.2026 passed by the learned Principal Judge Family Court Raipur



Chhattisgarh in Case No. 1030/2025 or granted interim maintenance amount of Rs. 9,000/- may be reduced, in the interest of justice.”

- 3.** Facts of the case are that the respondents have filed an application under Section 144 of the B.N.S.S. seeking maintenance, along with an interim application claiming maintenance of Rs. 30,000/- per month from the applicant. On 01.07.2019, the applicant solemnized marriage with respondent No. 1 in Arya Samaj. Since then, respondent No. 1 lived with the applicant as his wife at her matrimonial home, and out of their wedlock, Respondent No. 2 was born. As per the allegations made by respondent No. 1, after some time of marriage, the applicant and his family members started harassing and torturing her on account of insufficient dowry. It is further alleged that the applicant assaulted her, used filthy language, and demanded dowry with cruelty. Due to such alleged acts, respondent No. 1 left her matrimonial home and is presently residing at her parental house along with her daughter. The respondent No. 1 has no independent source of income for her survival. The applicant is stated to be working as a manager at a marriage hall, earning approximately Rs. 35,000/- per month, and also owns agricultural land, from which he allegedly earns about Rs. 5,00,000/- annually. On this basis, the respondents filed an interim application seeking maintenance of Rs. 30,000/- per month from the applicant.
- 4.** Upon issuance of notice, the applicant filed his reply, denying all the averments made in the application, and submitted an affidavit stating that respondent No. 1 used to quarrel with him without any reason and had left the matrimonial home on her own accord.
- 5.** The learned Family Court, by order dated 17.03.2026, allowed the interim



maintenance application of the respondents and directed the applicant to pay a sum of Rs. 9,000/- per month (Rs. 5,000/- to respondent No. 1 and Rs. 4,000/- to Respondent No. 2).

- 6.** Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is completely illegal, erroneous, arbitrary, and contrary to the evidence and documents submitted by the applicant. He submits that the learned Family Court has failed to consider that the applicant has never ill-treated the respondent and has always tried to maintain his matrimonial life, however, respondent No. 1 has refused to live with the applicant, and therefore, the maintenance granted is liable to be set aside. The learned Family Court has overlooked the income details of the applicant as disclosed in his affidavit and has passed the impugned order contrary to the same, which is against the law and liable to be set aside. The applicant's family, including his aged mother and other dependent family members, are entirely dependent upon his income, and there is no one else to take care of them. He further submits that the learned Family Court has failed to consider that the respondent left the applicant's house without any sufficient reason and is living separately. After a few days of marriage, the respondent left her matrimonial home without any sufficient reason and has not made any effort to return and reside with the applicant, therefore, she is not entitled to maintenance, and the impugned order is liable to be set aside. The maintenance amount awarded is on the higher side and is liable to be reduced. He submits that the learned Family Court has failed to consider that the respondent has not proved the income of the applicant and has not produced any documentary evidence in this regard, therefore, the maintenance awarded at Rs. 9,000/- per month is liable to be quashed.



7. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
8. Upon perusal of the impugned order, it transpires that the learned Family Court, after duly considering the pleadings, documents, and evidence adduced by the parties, has partly allowed the application filed by the respondents under Section 144 of the BNSS. The learned Family Court, upon appreciation of the material available on record, has awarded interim maintenance of Rs. 9,000/- to the respondents (Rs. 5,000/- to respondent No. 1 and Rs. 4,000/- to respondent No. 2).
9. Considering the submission advanced by the learned counsel for the applicant, materials available on record and also considering the price index and medical expenses, total amount awarded to the respondents cannot be said to be shockingly on higher side warranting interference by this Court in the present revision petition.
10. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-
(Ramesh Sinha)
Chief Justice