



2026:CGHC:5557

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 562 of 2024

Amit Dadsena S/o Makhan Dadsena Aged About 35 Years R/o Village And Post Akhrar, Tahsil Lormi, District Mungeli (C.G.)

... Applicant

versus

Janki Jaiswal @ Babli Jaiswal W/o Amit Dadsena Aged About 29 Years R/o Village Akhrar, Tahsil Lormi, District Mungeli (C.G.), Present Address - House Of Gaurishankar Jaiswal Ward No. 5, Tahsil Lormi, District Mungeli (C.G.)

... Respondent

For Applicant : Mr. Ankur Diwan, Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

31.01.2026

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

"It is prayed that the present revision petition may kindly be allowed by this Hon'ble Court and the impugned order dated 30.03.2024, passed by the Ld. Judge Family Court, Mungeli, may kindly be set aside in the interest of Justice."

3. Brief facts of the case that the present applicant is a law-abiding citizen, and the respondent is the wife of the applicant. The marriage between



the applicant and the respondent was solemnized in the year 2010. Out of the said marriage, two children were born, namely Nikhil Jaiswal and Yen Jaiswal, aged about 10 years and 8 years respectively, and both are residing with and studying at their father's home. The respondent voluntarily left her matrimonial home on 06.03.2022 and since then has been residing at her father's house at Lormi. It is further submitted that she is alleged to be having a love affair with one Monu Gupta. The respondent filed an application under Section 125 of the Code of Criminal Procedure before the learned Judicial Magistrate First Class, Mungeli, which was registered as Misc. Criminal Case No. 330/2023.

4. The learned Court, vide order dated 30.03.2024, directed the applicant to pay a maintenance amount of Rs. 7,000/- per month to the respondent. The respondent is also receiving interim maintenance of Rs. 2,000/- per month vide order dated 13.12.2022.
5. Learned counsel for the applicant submits that the impugned order is bad in law as well as on facts and is therefore liable to be set aside. The learned Family Court failed to consider the fact that the respondent admitted that she is in continuous contact with one Monu Gupta. The learned Family Court failed to consider that other witnesses, in their cross-examination, also stated that the respondent was in constant contact and had a love affair with one Monu Gupta, and that a social meeting was held in their village regarding the said issue. He also submits that the learned Family Court failed to consider that the respondent voluntarily left her matrimonial home, and the applicant duly informed the same to Police Station Lormi at the relevant time. The learned Family Court failed to consider that the father of the respondent runs a daily-needs shop on the Main Road at Lormi and also owns ancestral agricultural land. Learned Family Court failed to consider that



before the Family Counseling Centre, the respondent categorically stated that she is in a love affair with one Monu Gupta and refused to reside in her matrimonial home. He further submits that learned Family Court failed to consider the statements recorded before the Family Counseling Centre, Mungeli. Learned Family Court failed to consider that the applicant was already paying interim maintenance of Rs. 2,000/- per month as per the earlier order of the Hon'ble Court, and yet, vide the impugned order dated 30.03.2024, directed the applicant to pay Rs. 7,000/- per month to the respondent from the date of filing of the application, which is illegal, perverse, and liable to be set aside. The maintenance amount of Rs. 7,000/- per month awarded to the respondent is excessive, arbitrary, and disproportionate to the income of the applicant, and hence liable to be set aside.

6. I have heard learned counsel for the applicant and perused the judgment of the learned Family Court.
7. 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 respondent cannot be said to be shockingly on higher side warranting interference by this Court in the present revision petition.
8. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-
(Ramesh Sinha)
Chief Justice

Abhishek