



2026:CGHC:4423

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 567 of 2024

Pramod Kumar Sonant S/o Firturam Sonant Aged About 29 Years Working As Constable, R/o Uchch Bhitthi, P.S. and Tahsil Champa, District Janjagir Champa (C.G.)

... Applicant

versus

Smt. Fuleshwri Sonant W/o Pramod Kumar Sonant Aged About 28 Years R/o Uchch Bhitthi, P.S. and Tahsil Champa, District Janjagir Champa (C.G.), Present R/o D/o Nandaram Satranj, S/o Late Gopal Prasad Satranj Ward No. 36, Naya Risda, Ambedkar Chowk, Bhadrapara, Balco Nagar, Tahsil and District Korba (C.G.)

... Respondent

For Applicant : Mr. Jeet Ram Patel, Advocate.

For Non-applicant : Smt. Dhaneshwari Patel, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

27.01.2026

1. This Criminal Revision is being aggrieved of the judgment dated 03.02.2024 passed by the learned Family Court, Korba, District – Korba (C.G.) in Cr. M.J.C. No. 65/2022, whereby the learned Family Court partly allowed the application under Section 125 of the CrPC filed by the non-applicant, and directed the applicant/husband that he has to pay the amount of Rs.6,000/- per month to the non-applicant.
2. The facts, in brief, is that the non-applicant filed an application under Section 125 of the Cr.P.C. before the learned Family Court, Korba,

seeking maintenance. It was stated that at the time of marriage, the family of the non-applicant provided household articles, jewellery, and other necessary items according to their capacity. After marriage, the non-applicant resided at her matrimonial home at Village Uchch-Bhitthi, District Janjgir-Champa, with her husband and his family members. Just two days after the marriage, the family members of the applicant demanded that if the non-applicant's father provided a motorcycle and land situated at Malkharoda Mission Road, only then would the applicant construct a house and allow her to reside peacefully. The family members of the applicant taunted the non-applicant, alleging that she had not brought sufficient articles, confined her in a room during extreme heat without a fan, and accused her of bringing articles only for herself. The non-applicant was made to cook food for 13–14 family members and perform all household work without any support from other family members. It was further stated by the non-applicant that on 27.07.2021 her health deteriorated, and the applicant took her to a doctor at Champa. On the basis of suspected stone-related symptoms, a sonography was forcibly conducted, the results of which were not disclosed to the non-applicant. On the same day, she was examined by another doctor for fever, after which she became unconscious and extremely weak. In that condition, her brother-in-law and sister-in-law brought her home. On the following day, she was taken for treatment to another doctor at Village Shivni. Thereafter, on 30.07.2021, for better treatment, the applicant left the non-applicant at her maternal home along with his relatives. Since then, the applicant neither came to take her back nor responded to her phone calls.

3. The father of the non-applicant arranged her treatment at several places. After returning from Raipur, when the father of the non-applicant

contacted the applicant, the applicant clearly stated that he would not keep the non-applicant with him and that he wanted a divorce. He further alleged that the marriage was solemnized by cheating and made defamatory remarks, stating that the non-applicant was characterless. Several social meetings were organized to resolve the dispute. However, when the family members of the non-applicant went to the applicant's house to leave her there, they found the house locked, and the family members of the applicant refused to accept the non-applicant back into the matrimonial home. The applicant also alleged that the non-applicant had an affair with one Nikesh and that she was in contact with him both before and after the marriage. The applicant further alleged that the non-applicant made remarks regarding his private body parts and failed to perform her marital obligations intentionally. He further alleged that despite marriage, her alleged affair with another person continued. Vide impugned order dated 03.02.2024, the learned Family Court, Korba, allowed the application filed by the non-applicant and directed the applicant to pay a sum of Rs. 6,000/- per month to the non-applicant towards maintenance. Hence, the present revision.

4. Learned counsel appearing for the applicant submits that the impugned order dated 03.04.2024 is bad in law, perverse, and erroneous, and is therefore liable to be set aside. The learned Family Court, without properly appreciating and considering the statements and evidence of the applicant, wrongly allowed the application filed by the non-applicant; hence, the impugned order deserves to be set aside. The learned Family Court failed to appreciate that the non-applicant was involved in an extramarital affair, and for the said reason the applicant was justified in not keeping the non-applicant with him. The learned Family Court further failed to appreciate that the non-applicant herself left the matrimonial

home without any sufficient or reasonable cause. The learned Family Court also failed to consider that the non-applicant is an educated lady and is living a better life compared to the applicant. The learned Family Court failed to properly appreciate the pleadings and evidence and wrongly held that the applicant and his family members treated the non-applicant with cruelty. The learned Family Court failed to appreciate that the applicant is serving as a constable, had taken a loan for the marriage, bears the responsibility of maintaining his parents and family, and is residing in a rented house. Due to these financial liabilities, a substantial portion of his income is exhausted, leaving him with limited means. The learned Family Court failed to appreciate that the non-applicant is a working woman engaged in tailoring work and earning her own livelihood.

5. On the other hand, learned counsel for the non-applicant opposes the submissions made by the learned counsel for the applicant and submits that the Family Court after considering all the documents and evidence adduced by the parties has passed the order, in which no interference is called for.
6. I have heard learned counsel for the parties, perused the pleadings and documents appended thereto.
7. Considering the submissions advanced by the learned counsel for the parties, and from the perusal of the impugned order passed by the learned Family Court, it transpires that after hearing all the statements of the witnesses and perusing the evidence available on record, and considering the conditions of both the parties, the learned Family Court has passed the impugned order, and there is no any illegality and infirmity while passing the same which requires interference by this Court.
8. Accordingly, the criminal revision being devoid of merit is liable to be and

is hereby **dismissed**.

9. Let a certified copy of this order as well as original record of this case be sent to the concerned trial Court for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

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