



2026:CGHC:4225

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 472 of 2024**

Manish Verma S/o Shri Balkaran Verma Aged About 34 Years R/o House No. 165, Sector- 01, Professor Colony, Raipur, District Raipur, Chhattisgarh

... Applicant(s)**versus**

Smt. Versha Verma W/o Shri Manish Verma Aged About 30 Years D/o Shri Arvind Nayak, R/o House No. 165, Sector-01, Professor Colony, Raipur, District Raipur, Chhattisgarh. At Present R/o Village Jalso, Post Baikunth, Tahsil And Police Station Tilda Neora, District Raipur, Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Shivam Agrawal, Advocate.

For Respondent(s) : None.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23/01/2026**

1. Heard Mr. Shivam Agrawal, learned counsel for the applicant on I.A. No.02/2024, which is an application for condonation of delay of 04 days in filing the instant criminal revision.



2. For the reasons mentioned in the application I.A. No.02/2024 i.e. application for condonation of delay, the same is allowed and delay is condoned. The criminal revision is heard finally.
3. The applicant has filed this criminal revision against the order dated 17.01.2024 passed by learned Principal Judge, Family Court, Raipur, District – Raipur (C.G.) in Cri. M.C.C. No.148/2023, whereby, the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondent and directed the applicant to pay Rs.11,000/- per month to respondent towards maintenance.
4. Brief facts necessary for disposal of this revision are that the respondent-wife filed an application under Section 125 Cr.P.C. stating that her marriage with the applicant was solemnized on 19.12.2020 as per Hindu rites. She alleged that after marriage she was subjected to mental cruelty and dowry-related taunts, including being called “Tonhi” and “Daiyan,” and was ultimately left at her parental home. She claimed to have no independent source of income, whereas the applicant is a police constable earning about Rs. 35,000/- per month, and sought maintenance of Rs. 15,000/- per month. The applicant-husband filed a reply denying all allegations of cruelty and dowry demand. He contended that the respondent used to quarrel frequently with him and his family, insisted on consuming non-vegetarian food daily, and left the matrimonial home voluntarily. He further pleaded that he earns only about Rs. 26,700/- per month and is burdened with a monthly



car loan installment of Rs. 11,700/- . He also alleged that the respondent earns around Rs. 20,000/- per month from tuition and private work and that despite repeated efforts, she refused to return to the matrimonial home. After considering the pleadings, the learned Family Court allowed the maintenance application and directed the applicant to pay Rs. 11,000/- per month as maintenance to the respondent from 07.02.2023. Aggrieved by the said order, the applicant has preferred the present revision.

5. Learned counsel for the applicant submits that the learned Family Court has committed an error of law and facts in allowing the maintenance application without properly appreciating the financial capacity and liabilities of the applicant. The applicant is only a police constable earning about Rs. 26,700/- per month and is burdened with a monthly car loan installment of Rs. 11,700/- . The Court failed to consider that the applicant also has family responsibilities and is presently living separately, especially after the death of his father in a road accident on 30.09.2023. He further submits that the respondent left the matrimonial home during the COVID-19 period and has been residing at her parental house without sufficient cause. The disputes arose mainly due to her insistence on consuming non-vegetarian food daily, which led to frequent quarrels with the applicant and his family. It was further admitted by the respondent in her cross-examination that she had put a condition before the Women Police Station authorities that she would live with the applicant only if he



arranged a separate house, clearly showing her unwillingness to reside in the matrimonial home without justification. He also submits that the respondent is educated, computer-literate, and capable of earning, and in fact earns around Rs. 20,000/- per month from computer work and private service. Her parental family is financially sound, and she is not dependent upon the applicant for her livelihood. Hence, the respondent is not entitled to maintenance, and the impugned order granting maintenance is illegal, arbitrary, and liable to be set aside.

6. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
7. From perusal of the impugned order, it transpires that the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondent and directed the applicant to pay Rs.11,000/- per month to respondent towards maintenance observing that the respondent-wife had proved, by oral and documentary evidence, that she was subjected to cruelty and harassment on the allegations of dowry demand and accusations of practicing witchcraft, which constituted sufficient and reasonable cause for her to live separately from the applicant. The Court further held that the applicant had failed to rebut the said allegations and had himself admitted certain facts which amounted to mental cruelty. The learned Family Court further observed that the respondent is unable to maintain herself,



whereas the applicant, being a police constable, has sufficient and regular income and is capable of providing maintenance.

After considering the income, liabilities, social status of the parties, and the principles laid down by the Hon'ble Supreme Court in Rajnesh vs. Neha, the Court found the quantum of Rs. 11,000/- per month to be just, proper, and reasonable.

8. Considering the submissions advanced by the learned counsel for the applicant and perusing the impugned order and the finding recorded by the learned Family Court, I am of the view that the Family Court has not committed any illegality or infirmity or jurisdictional error in the impugned order warranting interference by this Court.
9. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.
10. Registrar (Judicial) is directed to transmit the original record to the concerned Family Court within a week from today for necessary information and follow up action.

Sd/-

(Ramesh Sinha)

Chief Justice