



2026:CGHC:3694

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 1020 of 2023**

Prashant Kumar Das S/o Late Shushant Kumar Das Aged About 34 Years R/o Plot No.5, Samriddhi Vihar Colony, Koni, Bilaspur, District : Bilaspur, Chhattisgarh.

... Applicant**versus**

Smt. Anamika Das W/o Shri Prashant Kumar Das Aged About 25 Years R/o Plot No.5, Samriddhi Vihar Colony, Koni, Bilaspur, District Bilaspur (C.G.) Present Address Through D/o Shri Shivkumar Das R/o Ward No.14, Dafai No.02, Jhagrakhand, Thana Jhagrakhand, Tehsil Manendragarh, District : Manendragarh-Chirmiri-Bharatpur, Chhattisgarh.

... Respondent

For Applicant : Ms. Surbhi Yadav, Advocate appears on behalf of Mr. Hemant Kumar Agrawal, Advocate.

For Respondent : None

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****21.01.2026**

1. This criminal revision has been filed by the applicant with the following prayer:

"It is, therefore, prayed that this Hon'ble High Court may kindly be pleased to call entire records from the learned Family Court below as well as Your Lordship may kindly be



pleased to allow this revision and set aside the impugned order dated 14.07.2023 passed in the Misc. Criminal Case Number 142/2022 - Smt. Anamika Das Vs. Prashant Kumar Das by The Judge, Family Court, Manendragarh, District: Korea (C.G.). Any other relief(s) which this Hon'ble Court deems fit in the facts and circumstances of the case, be also granted in favour of the Revisioner in the interest of justice."

2. The facts of the case, in brief, are that the respondent-wife filed an application for maintenance before the learned Family Court, Manendragarh, stating that her marriage with the revisioner-husband was solemnized on 24.01.2012 in accordance with Hindu rites and rituals, and after marriage she was subjected to cruelty and harassment by the revisioner and his mother on account of dowry demands. She alleged that after shifting to Bilaspur in February, 2022, the harassment intensified, including demand of Rs.10 lakhs, physical assault, and misappropriation of her jewellery, due to which she was compelled to leave the matrimonial home on 12.06.2022 and has since been residing at her parental house without any financial support. It was further pleaded that she is unemployed and has no independent source of income, whereas the revisioner is employed in CMPDI and earns a substantial monthly salary, and accordingly she claimed maintenance of Rs.15,000/- per month. The revisioner filed his reply denying the



allegations of cruelty and dowry demand, contending that the wife left the matrimonial home of her own accord, that she is well-qualified and gainfully employed as a school teacher earning about Rs.20,000/- per month, and that his income is much lower than claimed due to deductions and financial liabilities, including medical expenses of his aged mother. Upon considering the pleadings and material on record, the learned Family Court, by order dated 14.07.2023, allowed the maintenance application and directed the revisioner to pay Rs.12,000/- per month to the respondent-wife. Being aggrieved by the said order, the revisioner has preferred the present revision petition.

3. Learned counsel for the revisioner/husband submits that the learned Family Court has erred both on facts and in law in allowing the maintenance application. It is submitted that the revisioner's actual income is Rs.42,000/- per month, and after deductions, his net salary amounts to only Rs.10,000-12,000/-, with additional financial liabilities including a home loan (documents filed as Annexure R/2). The learned Court failed to consider that the applicant-wife has not produced any convincing evidence in support of her claim and has misrepresented facts, including exaggeration of the revisioner's income. It is further submitted that the applicant-wife is residing at her parental home out of her own choice and will, despite the revisioner filing an application under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights (Annexure R/3). The applicant-wife is well-educated, employed as a school teacher earning Rs.20,000/- per month, and is capable of maintaining



herself. The revisioner's mother is an aged widow suffering from multiple ailments, dependent on him, with medical and maintenance expenses exceeding Rs.10,000/- per month, while she receives only Rs.5,000/- as family pension (Annexure R/4). In view of the above, it is respectfully submitted that the applicant-wife is not entitled to any maintenance from the revisioner and the impugned order directing payment of maintenance deserves to be set aside.

4. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
5. From the perusal of the impugned order, it transpires that the learned Family Court has rightly allowed the maintenance application as the marriage between the parties was solemnized on 24.01.2012, and the respondent-wife was subjected to continuous cruelty and harassment by the revisioner-husband and his mother, including unlawful demand of Rs.10 lakhs, physical assault, and misappropriation of her jewellery, which compelled her to leave the matrimonial home and reside at her parental house without any financial support. The respondent-wife is unemployed and has no independent source of income, whereas the revisioner is gainfully employed in CMPDI and receives a monthly salary. The learned Family Court, after due consideration of the pleadings, evidence, and financial position of the parties, justly awarded Rs.12,000/- per month as maintenance, balancing the reasonable needs of the wife and the capacity of the revisioner, thereby ensuring that the respondent is not left in destitution. The order of the learned Family Court is, therefore, lawful, fair, and deserves to be upheld.



6. Considering the submission 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.
7. Accordingly, the criminal revision, being devoid of merit, is liable to be and is hereby **dismissed**.
8. Office is directed to a copy of this order be transmitted to the trial Court concerned forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Rahul Dewangan