



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL REVISION PETITION NO.258 OF 2023

BETWEEN:

SRI RAHUL @ RAHUL GUPTA
S/O LATE RAMBABU GUPTA
AGED 32 YEARS
WORKING AT: SOLARIS
BUILDING NO.1, D-WING
3RD AND 5TH FLOOR
SAKI VIHAR ROAD
ANDHERI EAST
MUMBAI – 400 072

...PETITIONER

(BY SRI NAGARAJA B ADVOCATE)

AND:

SMT.RUPALI @ RUPALI GUPTA
W/O RAHUL GUPTA
AGED 31 YEARS
RUPALI GUPTA
R/AT NO.99/1, 2ND CROSS
1ST MAIN ROAD
MUNIKRISHNAPPA LAYOUT
KANAKANAGAR
BANGALORE 560072

AND ALSO AT BELOW MENTIONED ADDRESS:





2. SMT. MITHILESH GUPTA
W/O LATE RAMBABU GUPTA
AGED 70 YEARS

3. SRI RAJEEV KUMAR
S/O LATE RAMBABU GUPTA
AGED 38 YEARS

BOTH ARE R/AT
SABAZI MANDI ROAD
NAGAJI DHAAM (PORSIA)
ZILLA MORENA
MADHYA PRADESH

...RESPONDENTS

(BY SRI V SANTHOSH, ADVOCATE FOR
SRI R PRASANNA RAO, ADVOCATE)

THIS CRL.RP IS FILED U/S. 12, 307, 401 OF THE
PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT,
2005 PRAYING TO SET ASIDE THE DECREE AND JUDGMENT OF
THE CRIMINAL APPEAL NO.719/2020 AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH



ORAL ORDER

This matter is listed for consideration of I.A.No.1/2026 for recalling the bailable warrant issued to the revision petitioner.

2. Heard the learned counsel appearing for the petitioner and also the learned counsel appearing for the respondents.

3. On perusal of the impugned order passed by the Session Judge in Criminal Appeal No.719/2020 it discloses that the Sessions Judge taken note of the relationship between the parties as husband and wife and petition was earlier filed under DV Act. In paragraph 15, the Sessions Court taken note of the fact that the respondent was working at Mumbai as Senior Accountant and getting approximate salary of Rs.7,00,000/- per annum and document was summoned under Section 91 of Cr.P.C. as Ex.P5. On perusal of the same, it discloses that the annual salary of the respondent as of 31.08.2017 is Rs.5,45,016/- which is in contradiction with the income claimed by the petitioner. The petition was filed in the year 2015 and that salary was of the year 2017.



4. The counsel for the revision petitioner submits that now, the petitioner has lost the job and he is unemployed and same cannot be a ground to decrease the maintenance amount. Even a husband who is not having any job, it is his bounden duty to provide maintenance to the wife. When such being the case, awarding of Rs.6,000/- per month as maintenance is not exorbitant.

5. The counsel appearing for the respondents also submits that even inspite of the order to pay the maintenance of Rs.6,000/- per month, till not paid the entire amount and still there are arrears of amount and the same is not in dispute.

6. The counsel appearing for the revision petitioner would submit that already made the payment of Rs.3,08,000/- that is 50% of the amount as directed by this Court while staying the impugned order and still there are arrears of maintenance amount.

7. The Court has to take note of standard of living. It is highly impossible to lead a life with the amount of Rs.3,000/- and the Appellate Court also having considered the present



standard of living as well as cost of living directed to pay the maintenance of Rs.6,000/- per month and the same is not exorbitant as contended by the petitioner counsel. Thus, no ground is made out to interfere with the findings of the Appellate Court in directing to pay the maintenance of Rs.6,000/- per month. Hence, I do not find any ground to entertain this revision petition. Accordingly, the revision petition is dismissed.

8. In view of the dismissal of the revision petition, I.A.No.1/2026 does not survive for consideration.

Sd/-
(H.P.SANDESH)
JUDGE

SN