



CGHC010003512025



2026:CGHC:32994

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 13 of 2025

1 - Smt. Tosiba Rai W/o Ashish Kumar Rai Aged About 36 Years R/o Sarola, P.S. Pondi, Tahsil Manendragarh, District M.C.B. Chhattisgarh

2 - Adhya Rai D/o Ashish Kumar Rai Aged About 5 Years Minor Through Legal Natural Guardian Mother Smt. Tosiba Rai W/o Ashish Kumar Rai, Aged About 36 Years, R/o Sarola, P.S. Pondi, Tahsil Manendragarh, District M.C.B. Chhattisgarh

... Applicant

versus

Ashish Kumar Rai S/o Shri Umashankar Rai Aged About 40 Years R/o Sarola, P.S. Pondi, Tahsil Manendragarh, District M.C.B. Chhattisgarh

---- Respondents

For Applicant	: Mr. Ishwar Jaiswal, Advocate.
For Respondent	: Ms. Meena Shastri, Advocate.

RAJSHEKHAR
SONI

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by
RAJSHEKHAR
SONI

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

30.07.2026

1. Heard Mr. Ankur Diwan, learned counsel for the applicants. Also heard Ms. Meena Shastri, learned counsel for the respondent.
2. This Criminal Revision is being aggrieved of the order dated 05.11.2024 passed by the learned Family Court, Manendragarh, District – Koriya (C.G.) in Misc. Cr. Case. 227/2023, whereby the learned Family Court, partly allowed the application under Section 125 of CrPC filed by the applicants, and directed the applicant that he has to pay total Rs. 5,000/- per month to the applicants as maintenance.
3. The prosecution story in brief is that the applicant had filed an

application under Section 125 of Cr. P. C. for granting maintenance amount that, it is admitted fact that the applicant no. 1 and respondent had solemnized marriage on 07.05.2017 according to Hindu Rites and Rituals custom since then the applicant and respondent were peacefully living as husband and wife together and on their wedlock the applicant no. 2 Adhya Rai born. The applicant and respondent were good relationship and after some time of marriage, the respondent started harassing the mental torturing the applicant in the name of less than dowry due to and also using the filthy language with the applicant by beating marpeet in every time, due to cruel acted by the respondent, the applicant was being harassed and mentally tortured and hence is residing along with applicant no. 2 in house of her father-in-law separately and she has no source of income, and respondent is practicing as advocacy at Manendragarh District Court and others Court and on account of his professional work, he earns amount of Rs. 8,00,000/- annually income and also having agricultural land area 1.765 hectare which is situated at his native place Sarola from which he has obtained amount of Rs. 3,00,000/- and also having mixer missing, tractor and casher machine and on account of this, he has earns income of Rs. 5,00,000/- per annum and hence the applicants have filed application under Section 125 of Cr.P.C. for seeking maintenance amount of Rs. 55,00,00/- for maintenance per month against the respondent.

4. The respondent herein has filed the reply to the said application and has denied the averments raised by the applicant. The learned Family Court has recorded the statement of the parties. The witnesses were examined before the learned Family Court including the applicant and

the respondent. The learned Family Court by passing the impugned order, has partly allowed the application under Section 125 of the CrPC, filed by the applicant for grant of maintenance. Hence, this revision.

5. Learned counsel appearing for the applicants submits that the impugned order is arbitrary and contrary to the evidence and documents submitted by the applicant. It is further submitted that the respondent is practicing in Advocacy at Manendragarh District Court and other Courts, and on account of his professional work, he earns amount of Rs. 8,00,000/- annually income and also having agricultural land area 1.765 hectare which is situated at his native place Sarola from which he has obtained amount of Rs. 3,00,000/- and also having mixer missing, tractor and casher machine and on the account of which, he earns income of Rs. 5,00,000/- per annum, and hence, maintenance amount of total Rs. 5,000/- per month awarded to the applicants is liable to be enhanced. Therefore, the order of the Family Court is liable to be modified.
6. On the other hand, learned counsel for the respondent opposes the submissions advanced by the learned counsel for the applicants and supports the impugned order dated 05.11.2024 passed by the learned Family Court, Manendragarh, District – Koriya (C.G.) in Misc. Cr. Case. 227/2023, whereby the learned Family Court, partly allowed the application under Section 125 of CrPC filed by the applicants, and he further submits that there is no illegality and infirmity while passing the same.
7. I have heard learned counsel for the parties, perused the pleadings

and documents appended thereto.

8. Considering the submissions advanced by the learned counsel for the parties, and from the perusal of the order of the Family Court, it transpires that no any good ground has been raised on merits by the applicants' side, thus, it transpires that after hearing all the statements of the witnesses and perusing the evidence available on record, the learned Family Court has passed the impugned order, and there is no any illegality and infirmity while passing the same warranting interference by this Court.
9. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.
10. Let a certified copy of this order be transmitted to the concerned trial Court for necessary compliance and follow up action, if any.

Sd/-
(Ramesh Sinha)
Chief Justice

Rajshekhar