



CGHC010065072025



2026:CGHC:34260

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 230 of 2025**

Pushpa Ravani D/o Santram Ravani Aged About 32 Years R/o Infront Of
Gandhinagar Police Station Subhashnagar Ambikapur Police Station
Gandhinagar Tahsil Ambikapur District- Surguja (C.G.).

... Applicant**versus**

Vijendra Verma S/o Govind Verma Aged About 36 Years R/o Village
Bramhanagar Street No. 6 Robertganj Police Station And Tahsil
Tobertganj District- Sonbhadra (U.P.).

... Non-Applicant

For Applicant : Mr. Awadh Tripathi, Advocate

For Non-Applicant : Mr. Rahul Mishra, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****05.08.2026**

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

"It is therefore prayed that the revision petition under section 19 (4) of Family Court Act is hereby allowed and the applicant may kindly be provided monthly maintenance of Rs 20000/- from the respondent/non-applicant in the interest of Justice."

RAHUL
DEWANGAN

Digitally
signed by
RAHUL
DEWANGAN

2. The facts of the case, in brief, are that the marriage between the applicant and the non-applicant was solemnized on 11.05.2018 at Robertsganj, District Sonbhadra (U.P.), in accordance with Hindu rites and customs. According to the applicant, at the time of marriage, her family provided substantial dowry articles, including an amount of Rs.2,00,000/- through bank transfer, Rs.4,00,000/- in cash, besides gold ornaments, clothes and other household articles. It is alleged that immediately after the marriage, the conduct of the non-applicant and his family members towards the applicant became hostile and she was continuously subjected to physical and mental cruelty on account of persistent demands for dowry. The applicant has alleged that despite tolerating the harassment in the hope that the matrimonial relationship would improve, the cruelty only intensified, and she was frequently assaulted by the non-applicant. Owing to the continuous harassment, she left the matrimonial home after about one month of marriage and started residing at her parental home. Thereafter, in the last week of October, 2018, the non-applicant and his family members persuaded the applicant to return to the matrimonial home. However, according to the applicant, after her return, the non-applicant habitually consumed alcohol, abused and assaulted her, while his parents and other family members justified his conduct instead of protecting her. It is further alleged that the non-applicant and his family members continued to harass her by making further unlawful demands of dowry, preventing her from using household articles and appliances, compelling her to bring similar articles from

her parental home, and even attempting to strangle her. The applicant has also alleged that the non-applicant maintained an illicit relationship with another woman, namely Rekha, and whenever she questioned him regarding the same, she was subjected to further physical assault. Thereafter, on several occasions, the applicant was taken back to the matrimonial home on the assurances of the non-applicant and his family members, but the cruelty continued unabated. It is specifically alleged that the non-applicant demanded that the applicant arrange money from her parental home for purchase of a Bullet motorcycle, and upon her inability to fulfil the demand, she was again subjected to physical and mental harassment. During her pregnancy, the applicant alleges that she was denied proper medical treatment and regular check-ups, which ultimately resulted in miscarriage. She has further alleged that on 23.06.2021, the non-applicant brutally assaulted her, attempted to strangle her, and wrongfully confined her in a room, whereafter her brother and other relatives intervened and brought her back to her parental home, where she has been residing ever since. It is the case of the applicant that she is an M.A. graduate but has no independent source of income and is entirely dependent upon her aged parents and brothers for her livelihood, whereas the non-applicant has neglected and refused to maintain her despite having sufficient means. It was further pleaded that the non-applicant and his family own approximately ten acres of agricultural land in Village Rampur and that the non-applicant is also engaged in coal mining business at Robertsganj, earning

approximately Rs.1,00,000/- per month.

3. Consequently, the applicant instituted proceedings under Section 125 of the Code of Criminal Procedure, 1973 before the learned Judge, Family Court, Ambikapur, on 31.03.2023 seeking maintenance of Rs.20,000/- per month from the non-applicant. Along with the application, the applicant filed her affidavit of assets and liabilities in compliance with the directions of the Hon'ble Supreme Court in Rajesh v. Neha.
4. The non-applicant entered appearance and filed his written statement denying all the allegations levelled against the applicant. During the course of trial, the learned Family Court recorded the evidence of the applicant as AW-1 and thereafter the evidence of the non-applicant was also recorded. Upon completion of the oral and documentary evidence and after hearing learned counsel for the parties, the learned Judge, Family Court, Ambikapur, vide the impugned order dated 07.01.2025, dismissed the application filed under Section 125 of the Code of Criminal Procedure, 1973 seeking maintenance. Being aggrieved by the legality and propriety of the said order, the applicant has preferred the present criminal revision under Section 19(4) of the Family Courts Act, 1984.
5. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is contrary to the evidence available on record and suffers from serious infirmities in appreciation of evidence. It is contended that the learned Family Court has failed to consider the material portions of the applicant's

deposition, which remained substantially unshaken during cross-examination and were not effectively rebutted by the non-applicant. Learned counsel submits that the applicant, in Paragraph 7 of her deposition, categorically stated that the non-applicant used to maintain regular telephonic conversations with a woman namely Rekha and that whenever the applicant questioned him regarding the said relationship, the non-applicant assaulted and abused her, compelling her to leave the matrimonial home and reside with her parental family in December, 2018. It is submitted that the aforesaid testimony has not been specifically denied or disproved by the non-applicant by leading any cogent evidence; nevertheless, the learned Family Court has completely ignored the said material evidence while dismissing the application. It is further submitted that, in Paragraph 8 of her deposition, the applicant has specifically deposed that although the non-applicant had subsequently taken her back to the matrimonial home on the assurance that he would mend his ways, within a short span of time he again started returning home in an intoxicated condition and persistently demanded that the applicant bring money from her parental home for purchasing a Bullet motorcycle. It has also come in the applicant's evidence that the family members of the non-applicant actively supported the said unlawful demand by insisting that the Bullet motorcycle was required for the non-applicant's business and that the applicant should arrange the same from her parental home.

6. Learned counsel further submits that the applicant has also deposed that thereafter the non-applicant abandoned her for nearly

two months, during which period she continued to suffer physical and mental harassment at the hands of his family members. It is, therefore, contended that the entire oral evidence adduced by the applicant consistently establishes continuous cruelty, dowry-related harassment, neglect and refusal on the part of the non-applicant to maintain the applicant. However, despite the aforesaid evidence remaining substantially un rebutted, the learned Family Court has failed to appreciate the same in its proper perspective and has recorded findings which are perverse, contrary to the evidence on record and unsustainable in law. Consequently, the impugned order deserves to be set aside and the applicant is entitled to maintenance in accordance with law.

7. On the other hand, learned counsel, appearing for the non-applicant opposes the prayer made by the learned counsel for the applicant and supports the impugned order passed by the learned Judge, Family Court, Ambikapur, District - Sarguja, (C.G.).
8. I have heard learned counsel for the parties, perused the pleadings and documents appended thereto.
9. From a perusal of the impugned order, it transpires that the learned Judge, Family Court, Ambikapur, after affording adequate opportunity of hearing to both the parties and upon a comprehensive consideration of the pleadings, the oral as well as documentary evidence adduced on record, has passed a well-reasoned, speaking and legally sustainable order. The learned Family Court has meticulously scrutinized the pleadings of the

applicant and the defence set up by the non-applicant, appreciated the testimony of the applicant (AW-1) and the deposition of the non-applicant in the light of the documentary evidence available on record, and has recorded categorical findings on every material issue involved in the proceedings. The Court has duly examined the allegations of physical and mental cruelty, dowry demand, desertion, and neglect as levelled by the applicant, as well as the defence raised by the non-applicant, and, upon an overall appreciation of the evidence, has rightly concluded that the applicant failed to establish, by cogent, reliable and convincing evidence, the essential ingredients entitling her to maintenance under Section 125 of the Code of Criminal Procedure, 1973. The learned Family Court has further taken into consideration the conduct of the parties, the surrounding circumstances, and the entire material brought on record before arriving at its conclusion and has assigned cogent and valid reasons for rejecting the claim for maintenance. The findings recorded by the learned Family Court are based upon a proper appreciation of the evidence and settled principles of law and neither suffer from perversity nor disclose any patent illegality, material irregularity, misreading of evidence, or jurisdictional error. The impugned order reflects due application of judicial mind to the facts and circumstances of the case and has been passed strictly in accordance with law. Accordingly, no ground is made out for interference by this Court in exercise of its revisional jurisdiction, and the impugned order dated 07.01.2025 has been rightly passed by the learned Family Court.

10. Considering the submission advanced by the learned counsel for the parties 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.
11. Accordingly, the criminal revision, being devoid of merit, is liable to be and is hereby **dismissed**.
12. Let a certified copy of this order be transmitted to the trial Court concerned forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Rahul Dewangan