



CGHC010149792025



2026:CGHC:35605

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 523 of 2025

1 - Smt. Saraswati Baghel W/o Lekhraj Baghel Aged About 30 Years
R/o Village Karanji, Tahsil Tokapal, District Bastar, Chhattisgarh.

2 - Ku. Mohnisha Baghel D/o Lekhraj Baghel Aged About 1 Years And
Half Year, Is Minor Through Legal Natural Guardian Mother Smt.
Saraswati Baghel, W/o Lekhraj Baghel, R/o Village Karanji, Tahsil
Tokapal, District Bastar, Chhattisgarh.

... **Applicant(s)**

versus

Lekhraj Baghel S/o Late Leboram Baghel Aged About 30 Years R/o
Ward No. 03, Infront Of Parihar Shop, Village Bastar, Tahsil Bastar,
District Bastar, Chhattisgarh.

... **Respondent(s)**

For Applicant(s) : Mr. Manish Nigam, Advocate.

For Respondent(s) : Mr. Siddharth Rathod, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

12/08/2026

- The applicant has filed this criminal revision against the order dated 23.01.2025 passed by learned Judge, Family Court, Jagdalpur, District – Bastar (C.G.) in Misc. M.J.C. No.39/2022,

whereby the learned Family Court has partly allowed the application under Section 125 CrPC filed by the applicants and directed the respondent to pay Rs.4,750/- per month to applicant No.1 and Rs.4,000/- per month to applicant No.2 towards maintenance.

2. Brief facts necessary for disposal of this revision are that applicant No.1 and the respondent were married on 13.03.2019 according to Hindu rites and customs, and out of their wedlock, applicant No.2 was born. It is alleged that after some time of marriage, the respondent subjected applicant No.1 to mental and physical cruelty on account of alleged dowry demands, due to which applicant Nos.1 and 2 started residing separately at her parental home. It is further alleged that the respondent is employed as a Field Worker in the R.H.O., Health Department, Village Bhond, Block Bastar, and earns approximately Rs.42,000/- per month, besides having agricultural income of about Rs.1,00,000/- per annum. Accordingly, the applicants filed an application under Section 125 Cr.P.C. claiming maintenance of Rs.30,000/- per month. The respondent appeared and denied the allegations. After hearing the parties, the learned Family Court awarded maintenance of Rs.4,750/- per month to applicant No.1 and Rs.4,000/- per month to applicant No.2, totalling Rs.8,750/- per month. Being dissatisfied with the quantum of maintenance, the applicants have preferred the present revision.

3. Learned counsel for the applicants submits that the impugned order is arbitrary, illegal and contrary to the evidence on record, as the learned Family Court has awarded an inadequate amount of maintenance. Applicant No.1 is the legally wedded wife of the respondent and has been residing separately due to the alleged physical and mental cruelty committed by him. The applicants have no independent source of income and are unable to maintain themselves, particularly applicant No.2, who is a minor child. He further submits that the respondent is a government employee working as a Field Worker in the R.H.O., Health Department, Village Bhond, Block Bastar, and is earning approximately Rs.42,000/- per month, besides having agricultural income of about Rs.1,00,000/- per annum. According to the applicants, the learned Family Court failed to properly appreciate the respondent's actual income, earning capacity and financial position while determining the quantum of maintenance. He also submits that the maintenance of Rs.4,750/- per month awarded to applicant No.1 and Rs.4,000/- per month to applicant No.2 is inadequate and insufficient for their basic needs and livelihood. The applicants accordingly seek enhancement of the maintenance amount, considering the respondent's income, the minor child's needs and the overall facts and circumstances of the case.
4. On the other hand, learned counsel for the respondent opposes the submissions made by the learned counsel for the applicant and submits that the Family Court after considering all the

documents and evidence adduced by the parties has passed the order, in which no interference is called for.

5. I have heard learned counsel for the parties, perused the impugned order and other documents appended with criminal revision.
6. From perusal of the impugned order, it transpires that the learned Family Court has partly allowed the application under Section 125 CrPC filed by the applicants and directed the respondent to pay Rs.4,750/- per month to applicant No.1 and Rs.4,000/- per month to applicant No.2 towards maintenance, holding that the applicants are the legally wedded wife and minor daughter of the respondent, respectively, and are unable to maintain themselves. The learned Family Court further recorded a finding that applicant No.1 was residing separately for justifiable reasons, as she had alleged cruelty, harassment and demand of dowry by the respondent and his family members, and the respondent failed to substantiate his allegations regarding the applicant's alleged illicit relationship. The Court also took note of the pendency of proceedings under Section 498-A IPC against the respondent, which supported the case of the applicant regarding matrimonial discord. It was further held that the respondent is a Government employee working as R.H.O. (M) in the Health Department and, as per his October 2023 pay-slip, was drawing a net salary of about Rs.35,000/- per month. Considering the income of the respondent, the needs of the applicants and the overall facts and

circumstances of the case, the learned Family Court awarded maintenance as aforementioned, which cannot be said to be on lower side.

7. Considering the submissions 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.
8. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.
9. 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

Akhil