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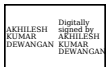
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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 867 of 2026

Shashank Sahni S/o Late Sandeep Sahni, Aged About 37 Years R/o House No. 592, Kadbi Chowk, Kamptee Road, Near Metro Station, Jaripatka, Nagpur City, Nagpur (Maharashtra)- 440004.

... Applicant(s)



versus

1 - Sonal Sahni W/o Shashank Sahni, D/o Shri Kulraj Singh Uday, Aged About 30 Years R/o Ward No. 32, Uday Sadan, Maulipara, Near Baba Buddhaji Saheb Gurudwara, Anand Nagar, Police Station Telibandha, Raipur, District Raipur (Chhattisgarh) -492001.

2 - Shivansh Sahni S/o Shashank Sahni, Aged About 6 Years (Minor), Through Natural Guardian/ Mother (Respondent No. 1) Sonal Sahni, R/o Ward No. 32, Uday Sadan, Maulipara, Near Baba Buddhaji Saheb Gurudwara, Anand Nagar, P. S. Telibandha, Raipur, District Raipur (Chhattisgarh)- 492001.

... Respondent(s)

For Applicant(s) : Mr. Ajay Pal Singh, Advocate.

For Respondent(s) : None.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

13/07/2026

1. The applicant has filed this criminal revision against the order dated 29.04.2026 passed by learned Second Additional Principal Judge, Family Court Raipur (C.G.) in Case No.1451/2024, whereby the application filed by the respondents under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 was partly allowed and the applicant was directed to pay interim maintenance of Rs.10,000/- per month to respondent No.1 and Rs.7,000/- per month to respondent No.2.
2. Brief facts necessary for disposal of this revision are that the marriage between respondent No. 1 (wife) and the applicant (husband) was solemnized on 28.01.2016 at Officers' Lawn, Civil Lines, Nagpur, according to Hindu rites and customs. Out of the wedlock, a son, Shivansh Sahni (respondent No.2), was born. The wife alleges that after the marriage, she was continuously subjected to physical and mental cruelty, harassment, and assaults by the respondent and his family members, due to which she was compelled to leave the matrimonial home in August 2023 and has since been residing with her parents at Raipur. The respondents further contend that the wife is a homemaker having no independent source of income, whereas the applicant is engaged in the event management business at Nagpur, Jamshedpur and other cities, earning approximately Rs. 3–4 lakhs

per month. On these averments, the applicants sought interim maintenance of Rs. 1,30,000/- per month. The applicant denied the allegations and contended that the wife is residing separately of her own accord and is in a relationship with another person, namely, Rashid Ali. Thereafter, the learned Family Court granted interim maintenance as aforementioned giving rise to the present criminal revision.

3. Learned counsel for the applicant submits that the impugned order granting interim maintenance is legally unsustainable as the learned Family Court failed to consider the categorical admission made by Respondent No. 1 in her verified divorce petition that she had voluntarily separated from the revisionist and was capable of maintaining herself and her minor son independently. It is contended that having made such a judicial admission, Respondent No. 1 cannot subsequently claim that she is unable to maintain herself and seek maintenance from the revisionist. He further submits that respondent No. 1 is not entitled to maintenance as she is residing separately without sufficient cause and is allegedly earning independently through her business activities. The revisionist contends that the Family Court ignored material placed on record regarding her alleged independent income, ownership of assets, and suppression of relevant facts. It is also argued that the Court failed to consider the revisionist's application alleging concealment of material particulars by respondent No. 1. He also submits that the quantum of interim

maintenance is arbitrary and excessive, as he is employed as a Field Supervisor earning approximately Rs. 12,000/- per month, whereas the Family Court directed payment of Rs. 17,000/- per month. It is contended that the Court failed to consider his financial liabilities, including debts and the responsibility of maintaining his widowed and ailing mother, and also overlooked the observations made by the Bombay High Court in earlier proceedings concerning the allegations raised by respondent No. 1.

4. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
5. From perusal of the impugned order, it transpires that the application filed by the respondents under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 was partly allowed and the applicant was directed to pay interim maintenance of Rs.10,000/- per month to respondent No.1 and Rs.7,000/- per month to respondent No.2, holding that the marital relationship between respondent No.1 and the applicant, as well as the paternity of respondent No.2, were admitted facts. The Family Court further observed that the rival contentions regarding the reasons for the respondents living separately involve disputed questions of fact, which can only be adjudicated upon after recording evidence. Considering that the main proceedings may take time for disposal, the Family Court found it just and proper to

award interim maintenance as aforementioned to the respondents till the final adjudication of the case.

6. Considering the submissions 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 prayer made to quash the impugned order is refused.
8. However, the present revision is **disposed of** with the direction that the concerned Family Court is at liberty to conclude the proceedings under Section 144 of BNSS, preferably within a period of **three months** from today, if there is no any legal impediment.

Sd/-

(Ramesh Sinha)
Chief Justice