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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1150 of 2025

- Smt. Indu Devi, W/o Parshuram, aged about 53 Years, R/o Block No. 5B, Street No. 13, Sector 01 Bhilai, Tahsil and Distt. Durg, Chhattisgarh.

...Applicant

versus

1. Parshuram, S/o Late Bhagwat Singh, aged about 56 Years,
2. Harish, S/o Kapil,
3. Smt. Kunti Devi, W/o Kapil Deo,
4. Kapil Deo,.
5. Prem Kumar,
6. Shivshankar, S/o Late Bhagwat Singh,
7. Nitán Raj, S/o Rajkumar Nayar,

Respondent Nos. 1 to 7 are R/o Bapu Nagar Ward No. 29, Bhilai, Distt. Durg, Chhattisgarh.

8. Seetaram, S/o Late Bhagat Singh,
9. Malti Devi, W/o Seetaram,
10. Mahavir Prasad, S/o Sitaram,
11. Durgavati, W/o Rakesh,

Respondent Nos. 8 to 11 are R/o Village Chunakatta, Post Selud, Utai, Distt. Durg, Chhattisgarh.

... Respondents/Non-applicants

For Applicant	:	Mr. Raj Kumar Sahu, Advocate.
For Respondent No.1/ Non-applicant No.1	:	Mr. Rudranath Mukherjee, Advocate.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

05/10/2026

1. Learned counsel for the applicant/wife would submit that earlier he had not been engaged by the applicant/wife and she was appearing in person. Therefore, she had filed I.A. No.01/2025 seeking permission to argue the case in person. However, she has now engaged counsel and, therefore, does not wish to prosecute the said application.
2. In view of above, I.A. No.01/2025, filed by the applicant/wife seeking permission to argue the case in person, is rejected as not pressed.
3. With the consent of learned counsel for both the parties, the matter is heard finally.
4. This revision has been preferred by the applicant/wife under Section 442 read with Section 438 of the BNSS, challenging the judgment dated 18.07.2025 passed by the Additional Sessions Judge (FTC), District Durg (C.G.), in Criminal Appeal No.370/2024, whereby the learned Appellate Court has partly allowed the appeal by granting an amount of Rs.3,000/- per month to the applicant/wife under the head of house rent.
5. Facts of the case, in brief, are that the applicant/wife filed an application before the Judicial Magistrate First Class, Durg, District Durg (C.G.) under Sections 18, 19, 20, 21, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005, seeking relief under various heads. After filing reply by respondent No.1/husband and recording of evidence, the learned trial Court rejected the application filed by the applicant/wife, finding no sufficient ground to grant the reliefs sought by her. The appeal preferred by the applicant/wife was partly allowed by the learned Appellate Court vide impugned judgment

dated 18.07.2025. Being dissatisfied with the impugned judgment, the applicant/wife has preferred the instant revision.

6. Learned counsel for the applicant/wife would submit that while the applicant/wife was residing with respondent No.1/husband till 2019, respondent No.1 used to physically and mentally harass her by abusing and beating her. Therefore, the applicant/wife suffered physical and mental harassment, but no compensation has been granted to her on that account. He further submits that the learned Appellate Court has granted only Rs.3,000/- per month towards house rent allowance, which is very meager, whereas the applicant/wife is residing in a rented house by paying rent of Rs.10,000/- per month. She has also filed *Kirayanama* (Ex.P-2) in this regard. Despite the same, the learned Appellate Court has granted only Rs.3,000/- per month towards house rent. It is further submitted that respondent No.1/husband was posted as a Foreman and was earning a monthly salary of Rs.1,37,299/-. Hence, the applicant/wife may be granted compensation for the physical and mental harassment suffered by her, and the amount awarded towards house rent may suitably be enhanced.
7. Per contra, learned counsel appearing for respondent No.1/husband would submit that although respondent No.1/husband was posted as a Foreman, but he has taken voluntary retirement and, after retirement, he is receiving pension. However, he could not apprise the Court as to the amount of pension being received by respondent No.1/husband. He further submits that the applicant/wife has failed to prove any physical or mental harassment meted out to her by respondent No.1/husband. Therefore, she is not entitled to any relief on that count. He submits

that the amount of Rs.3,000/- per month granted towards house rent is just and proper. Hence, the impugned judgment does not call for any interference by this Court.

8. Heard learned counsel for the parties and perused the material available on record.
9. As per the impugned judgment of the learned Appellate Court, it has been observed that, according to the affidavit filed by respondent No.1/husband, his gross salary was Rs.1,18,000/- per month and, after deductions, he was receiving Rs.57,000/- per month. It has been stated by learned counsel for respondent No.1/husband that respondent No.1 was posted as a Foreman in Bhilai Steel Plant. Even if respondent No.1/husband has taken voluntary retirement, it cannot be denied that after his voluntary retirement, he may have received a huge amount. When his counsel was asked about the amount received by him upon his retirement, he could not apprise the Court of the same. Further, the affidavit filed by respondent No.1/husband himself discloses his gross salary as Rs.1,18,000/- per month, whereas a document filed by the applicant/wife before this Court shows his gross salary as Rs.1,37,299/- for the month of July, 2025. Considering the aforesaid income of respondent No.1/husband, the amount of Rs.3,000/- per month granted towards house rent appears to be meager. Therefore, the same deserves to be enhanced to Rs.7,000/- per month.
10. So far as the prayer for monetary relief on account of the alleged physical and mental harassment is concerned, no sufficient evidence has been adduced by the applicant/wife to grant any monetary compensation on the said count. Further, vide impugned judgment,

respondent No.1/husband has already been directed to renew his medical book so as to enable the applicant/wife to avail herself of medical benefits thereunder. Learned counsel for both the parties have admitted that respondent No.1/husband has already got the medical book renewed and, therefore, the applicant/wife is entitled to avail the medical benefits under the said medical book of respondent No.1/husband.

11. Accordingly, this revision is partly allowed. The amount of house rent granted by the learned Appellate Court to the applicant/wife to the tune of Rs.3,000/- per month is enhanced to Rs.7,000/- per month, which shall be paid by respondent No.1/husband to the applicant/wife within 15 days of every month, with effect from 18.07.2025, i.e. the date of the impugned judgment passed by the learned Appellate Court.

12. Consequently, the revision is partly allowed to the extent indicated hereinabove.

Sd/-
(Naresh Kumar Chandravanshi)
Judge