

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Criminal Revision (FC) No.48 of 2024

Decided on: 06.10.2026

Yog Raj	... Petitioner
Versus	
Smt. Shilu Devi & another	... Respondents

Coram

Hon’ble Mr. Justice Ajay Mohan Goel, Judge.

Hon’ble Mr. Justice Yogesh Jaswal, Judge.

Whether approved for reporting?¹

For the petitioner:	Mr. Kunal Thakur, Advocate, vice Mr. Sudhir Bhatnagar, Advocate.
For the respondents:	Mr. Divya Raj Singh, Advocate.

Ajay Mohan Goel, Judge (Oral)

By way of this petition, the petitioner has assailed order dated 03.05.2024, passed by the Court of learned Principal Judge, Family Court Kullu, District Kullu, H.P., in Petition No.17/2018 (2019), Registration No.144/2019, titled Smt.Shilu and another Versus Yog Raj, in terms whereof, the petition filed by the respondents herein before the learned Court below under Section 125 of the Code of Criminal Procedure, has been disposed of by ordering maintenance to the tune of Rs.1500/- each per month to the present respondents, i.e. the wife and the minor daughter of the petitioner.

2. Having heard learned Counsel for the parties and having perused the order under challenge, we do not find any perversity therein so as to interfere with the same.

3. The contention of the learned counsel for the petitioner

¹ Whether reporters of the local papers may be allowed to see the judgment?

that that the parties were residing separately voluntarily, as was evident from the Compromise Deed which was entered into between the parties, copy whereof is appended with the present petition as Annexure P-3, does not impresses this Court. This aspect of the matter has been taken care of by the learned Court below in Para-13 onwards of the impugned order, wherein it is observed that though the respondent-wife agreed to the execution of the document, but she submitted that her signatures were obtained thereupon under duress.

4. Even otherwise, according to us, no marriage can be put to an end by way of a compromise like Annexure P-3, as marriage between Hindus can only be legally ended in terms of the provisions of the Hindu Marriage Act. The contention of learned Counsel that the divorce was as per the custom also cannot be accepted, because the wife though admits her signatures on the document, but does not admit the contents thereof and as per her, her signatures were obtained thereupon by duress.

4. Even otherwise, as there is no dispute that the respondents herein are the legally wedded wife and the minor daughter of the petitioner respectively, the petitioner has a responsibility to maintain them. Meager maintenance of Rs.1500/- each per month, which has been ordered in their favour by the learned Court below, does not call for any interference. In fact, according to us, it is grossly on the lower side, but in the absence of

any challenge thereto by the wife, we cannot make any further observation in this regard.

5. Accordingly, in light of the above observations, as we find no merit in the present petition, the same is dismissed, so also pending miscellaneous application(s), if any.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

October 06, 2026
(Rishi)