

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Criminal Revision (FC) No.69 of 2026

Decided on: 23.09.2026

Netru	... Petitioner
Versus	
Sh. Roop Singh	... Respondent

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. Kul Bhushan Khajuria, Advocate.
For the respondent:	Mr. Tek Chand, Advocate.

Ajay Mohan Goel, Judge (Oral)

Cr.MP(M) No.2465 of 2025

By way of this application, a prayer has been made by the applicant/petitioner to condone 1 year 4 months and 27 days delay the delay in filing the petition

2. Having perused the averments made in the application and having heard learned Counsel for the applicant, though we are not convinced with the explanation given in the application, but in the interest of justice, we are allowing this application to enable the applicant to make submissions on merit against the order under challenge. Accordingly, the application is allowed and delay in filing the petition is condoned. The application stands disposed of.

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3. Be registered. Notice. Mr. Tek Chand, learned Counsel, accepts notice on behalf of the respondent.

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

4. By way of this petition, the petitioner has challenged the order passed by the learned Court below, in terms whereof, the petition filed by the petitioner under Section 125 of the Code of Criminal Procedure for grant of maintenance stands disposed of by awarding maintenance of Rs.5,000/- per month in favour of the petitioner.

5. According to the learned Counsel for the petitioner, maintenance that has been awarded by the learned Court below is on the lower side. However, having heard learned Counsel for the parties and having perused the order under challenge, we do not agree with the submission of the learned Counsel.

6. The respondent-husband is a retired Government employee, who retired from the Irrigation and Public Health Department as a fitter. The salary of the respondent as was proved by the petitioner before the learned Court below was approximately Rs. 45,000/- per month. This means that maximum, pension that the respondent would be drawing would be between Rs. 20,000/- to Rs. 25,000/- per month. The petitioner admittedly is staying in the same premises as the respondent, which is evident from the order under challenge, wherein learned Court below has taken note of the statement of the son of the petitioner himself, who appeared before the learned Court below as RW-2 and stated in the Court that the mother was residing with them, i.e. with the children and the father, and that the father was bearing all the expenses.

7. In this backdrop, more so in light of the fact that the respondent has other obligations also, including the well-being of his five children, who may be now major and married, we close these proceedings without disturbing the order. However, liberty as prayed for, is granted to the petitioner to approach the appropriate Court for enhancement of the maintenance after some reasonable time. Pending miscellaneous application(s), if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

September 23, 2026
(Rishi)