



2026:UHC:4488

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			CRLR No.752 of 2025 <u>Hon'ble Alok Mahra, J.</u> Mr. Arun Chauhan, revisionist, in person. Mr. Divakar Chamoli, Advocate for respondent no.1. Mr. N.S. Kanyal and Mr. Dinesh Chauhan, A.G.A. for the State of Uttarakhand. 2. This Criminal Revision has been preferred by the revisionist challenging the order dated 15.10.2025 passed by learned Additional Principal Judge-First, Family Court, Dehradun, whereby interim maintenance to the tune of ₹8,000/- per month has been awarded in favour of respondent no.1 (wife). 3. Revisionist, who appears in person, submits that the learned Family Court has failed to appreciate that respondent no.1 is already being granted interim maintenance of ₹5,000/- per month in proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005, and the said fact has not been duly considered while awarding further maintenance of ₹8,000/- per month in the present proceedings. It is further submitted that the impugned order is non-speaking, as no cogent reasons have been assigned by the learned Judge as to how the quantum of ₹8,000/- per month has been determined. It is also submitted that respondent no.1 is highly educated, possessing qualification of M.A. (Yoga) and has also qualified UGC-NET and she



		was employed as Assistant Professor (Yoga) in a University at Churu, Rajasthan, but she voluntarily left her employment in July, 2022. It is further contended that the marriage between the parties was solemnized on 22.11.2021 and the parties have been living separately since 04.02.2023. According to the revisionist, the application under Section 125 Cr.P.C. has been filed after an unexplained delay of about two years and four months of separation, during which period respondent no.1 was residing at Dehradun in a rented accommodation and was able to maintain herself. It is further contended that the pleadings and versions of respondent no.1 across various proceedings are inconsistent and contradictory with respect to the alleged incidents of harassment and cruelty attributed to the revisionist, thereby casting doubt upon her claim. On these grounds, it is submitted that the impugned order suffers from illegality and requires interference by this Court. 4. Per contra, learned counsel for respondent no.1 submits that the learned Family Court has rightly determined interim maintenance at ₹8,000/- per month after due consideration of the affidavit of income filed by the revisionist in compliance of the directions issued by the Hon'ble Supreme Court in Rajnesh Vs. Neha & others, reported in (2021) 2 SCC 324, wherein it has been disclosed that the take-home salary of the revisionist after statutory deductions is approximately ₹43,000/- per month. It is further submitted that the revisionist's father is a retired government servant and there is no financial liability upon the revisionist towards his parents. It is also
--	--	--



		contended that although respondent no.1 is qualified, she is presently unable to undertake employment owing to mental distress, trauma and alleged harassment inflicted by the revisionist, which has resulted in her continuing state of depression and inability to pursue gainful employment. With respect to her residence at Dehradun, it is submitted that she has been financially supported by her brother and mere residence in a rented accommodation does not establish independent income. It is further submitted that the revisionist is in arrears of approximately ₹1,91,000/-, which further demonstrates deliberate non-compliance with the maintenance order. It is contended that the learned Family Court has passed a reasoned and well-considered order based on material on record and the same does not warrant interference in revisional jurisdiction. 5. Having considered the rival submissions and the material placed on record, this Court is of the view that no jurisdictional error, perversity or material irregularity is made out in the impugned order warranting interference in revisional jurisdiction. The learned Family Court has determined interim maintenance on the basis of the income affidavit filed by the revisionist in compliance with the mandate of the Hon'ble Supreme Court in Rajnesh Vs. Neha (Supra), wherein his monthly take-home salary has been disclosed to be approximately ₹43,000/-, which is sufficient to justify the quantum of ₹8,000/- per month towards the maintenance of the respondent no.1. The contention regarding the respondent already receiving maintenance under other proceedings does not, by itself, bar
--	--	---



2026:UHC:4488

grant of maintenance in the present proceedings, particularly when no material has been placed to demonstrate duplication or excessiveness. The plea that the impugned order is non-speaking is also untenable, as the order reflects consideration of relevant factors including income, status and needs of the parties. The issues raised regarding the respondent's qualifications, past employment and alleged delay in filing the petition involve disputed questions of fact which cannot be adjudicated in revisional proceedings. Moreover, the arrears indicated reflect continued non-compliance rather than illegality in the order. The learned court below has exercised its discretion in a judicious manner and the same does not suffer from any illegality or impropriety.

6. Accordingly, the Criminal Revision is devoid of merit and is liable to be dismissed and is hereby dismissed.

(Alok Mahra, J.)

04.06.2026

Arpan

ARPAN
JAISWAL

Digitally signed by ARPAN JAISWAL,
DN: cn=ARPAN JAISWAL, o=JUDICIAL OFFICE OF
UTTARANCHAL,
c=IN, email=arpanjaiswal@judicial.nic.in,
serial=20260604132626, version=1,
reason=I am the signer of this document.
Date: 2026.06.04 13:26:26 +05'30'