

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.200 of 2018

Vaidhraj Baghel, S/o Devsingh Baghel, aged about 36 years, By Caste Gada, R/o Aavrabhath, Tahsil and District Kondagaon, Chhattisgarh (wrongly mentioned as Tahsil Kanker in impugned order)

---- Applicant

versus

Smt. Kamtabai, W/o Vaidraj Baghel, aged about 30 years, By caste Gada, R/o Village Barari, P.S. Arjuni, District Dhamtari, Chhattisgarh

--- Respondent

For Applicant	:	Shri Sumit Shrivastava, Advocate
For Respondent	:	Shri Sanjay Patel, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26.6.2018

1. Heard on admission.
2. This revision has been preferred by the husband/Applicant against the order dated 16.1.2018 passed by the Family Court, Kanker in M.Cr.C. No.20 of 2017, whereby the application under Section 125 of the Code of Criminal Procedure moved by the wife/Respondent has been allowed and maintenance of Rs.2,000/- per month has been granted in her favour.
3. Learned Counsel appearing for the Applicant submits that the Respondent is not a legally wedded wife of the Applicant and, therefore, she is not entitled for any maintenance.
4. Learned Counsel appearing for the Respondent submits that though the Respondent was already married, but a social divorce had already taken place between them and this fact was admitted by the Applicant himself. Therefore, the Family Court has rightly held that the Respondent is wife of the Applicant and, therefore,

grant of maintenance of Rs.2,000/- per month in her favour is in accordance with law.

5. I have heard Learned Counsel appearing for the parties and perused the material available with due care.
6. In paragraph 6 of the impugned order, it is mentioned that the Applicant himself has admitted that the Respondent had already been socially divorced by his ex-husband. It has been further admitted by the Applicant that thereafter he had married the Respondent by wearing her churi. In the circumstances, it is clear that the Family Court has rightly held that the Respondent is a legally wedded wife of the Applicant and the Court has rightly granted the maintenance in her favour.
7. I find no merit in the instant revision. It is, therefore, dismissed at the admission stage itself.

Sd/-

(Arvind Singh Chandel)
Judge