CGHC010399982026 2026:CGHC:44965

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1387 of 2026

Lakhan Lal Sonwani S/o Late Shri Chhotelal Sonwani Aged About 63 Years R/o Krishna Nagar (Railway Colony), Belgahna, Police Station And Tehsil Belgahna, District- Bilaspur, Chhattisgarh.

... Applicant

versus

Smt. Meena Sonwani (Manikpuri) W/o Shri Lakhan Lal Sonwani Aged About 51 Years (As Per The Cause Title In Impugned Order) R/o Ward No. 16, Krishna Nagar Railway Colony, Belgahna, Police Station And Tehsil Belgahna, District Bilaspur, Chhattisgarh.

...Non-applicant

For Applicant : Mr. Shreyansh Mehta, Advocate

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

26/10/2026

Heard.

VASANT KUMAR Digitally signed by VASANT KUMAR Date: 2026.10.26 17:28:08 +0530

1. The instant criminal revision has been preferred by the applicant under Section 19(4) of the Family Courts Act, 1984, read with Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, challenging the legality and propriety of order dated 30.07.2026 passed by the learned First Additional

Principal Judge, Family Court, Bilaspur, District Bilaspur (C.G.), in Misc. Criminal Case No.1057/2025, whereby the learned Family Court has granted interim maintenance to the tune to Rs.3,000/- per month in favour of the respondent/wife against applicant/husband.

2. Learned counsel for the applicant would submit that no valid marriage was solemnized between the applicant and the respondent. Rather, the respondent/wife was already married to one Premdas Manikpuri, out of the said wedlock, three children were born. He would further submit that, as is evident from the application filed by the respondent/wife herself, the applicant was already married and no decree of divorce had been obtained to dissolve his earlier marriage. Therefore, the respondent cannot be legally recognised as the wife of the applicant. It is contended that the learned Court below, without duly appreciating the aforesaid facts and circumstances, has erroneously granted interim maintenance in favour of the respondent/wife. The impugned order dated 30.07.2026 is, therefore, perverse and illegal. Hence, it is prayed that the impugned order dated 30.07.2026 be set aside.

3. I have heard learned counsel for the applicant and perused the material available on record.

4. The applicant/husband has filed a copy of the application submitted by the respondent/wife. On perusal of the said application reveals that the respondent/wife has specifically pleaded that the applicant herein had entered into a love marriage with her and that they had thereafter lived together.

Although she has also stated that the applicant had contracted an earlier marriage, she has further pleaded that he had left his first wife. At this stage, it is well settled that while considering an application for interim relief, the Court is required to examine the prima facie case and is not expected to undertake a detailed examination of the merits of the matter. In the present case, there is a specific pleading by the respondent/wife that she had entered into a love marriage with the applicant and that they had thereafter lived together. The question as to the duration of their cohabitation and whether, on the basis of the facts and circumstances of the case, the respondent/wife can be accorded the status of the applicant's wife would require consideration on merits, but at this stage aforesaid fact particularly considering the pleading of respondent/wife cannot be considered. In view of the above, this Court is not inclined to admit the instant revision petition.

5. Accordingly, this revision petition stands rejected.

6. However, learned First Additional Principal Judge, Family Court, Bilaspur, District Bilaspur (C.G.) is directed to expedite the trial and conclude the same as early as possible preferably within a period of ‘six months’ from the date of submission of certified copy of this order.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Vasant