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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P.(MAT.) 78/2026 & CRL.M.A. 4622/2026 CRL.M.A.
4623/2026 CRL.M.A. 4624/2026 CRL.M.A. 4625/2026 CRL.M.A.
4626/2026 CRL.M.A. 4627/2026
SHWETANK PRATIKPetitioner
Through: M. Manoj Kumar Dwivedi, Advocate.

versus

RISHITA KASHYAPRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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11.02.2026

CRL.REV.P.(MAT.) 78/2026

By way of the present revision petition filed under section 438 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner (husband) impugns order dated 21.02.2025 passed by the learned Family Court-01, Shahdara District, Karkardooma Courts, Delhi in case bearing MT No.306/2023, whereby 'interim maintenance' of Rs.10,000/- per month has been awarded in favour of the respondent (wife) under section 125 of the Code of Criminal Procedure, 1973 ('Cr.P.C.').

2. The order has been passed on an interim application and the petition under section 125 of the Cr.P.C. is still pending consideration before the learned Family Court; and is stated to be listed next on 07.04.2026 for recording the petitioner's evidence (respondent in those proceedings).



3. The impugned direction is clearly for payment of *interim* maintenance during the pendency of the main petition; and the order specifically says that “*any ad-interim maintenance already paid in this petition or any other interim/regular maintenance in any other petition shall be subject to adjustment.*”
4. In light of the above, and particularly, keeping in view of section 438(2) of the BNSS, this court is not inclined to interfere with the impugned order.
5. The present petition is accordingly disposed-of at the stage of issuance of notice itself, however granting to the petitioner liberty to raise all his rights and contentions in the course of proceedings under section 125 of the Cr.P.C., pending before the learned family court.
6. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 11, 2026

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