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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P.(MAT.) 185/2026 & CRL.M.A. 10380/2026**
SAMEER SACHDEVAPetitioner

Through: Mr. Akash Jain, Advocate.

versus

SONA KAULRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

% **ORDER**
06.04.2026

By way of the present petition filed under sections 448/442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'), the petitioner *inter-alia* impugns order dated 13.11.2025 passed by the learned Judge, Family Court-02, West-District, Tis Hazari Courts, Delhi ('Family Court') in Mt. No.343/2023, whereby in a proceedings under section 125 of the Code of Criminal Procedure, 1973 ('Cr.P.C.'), the petitioner has been directed to pay the following:

“(10) Considering the overall facts & circumstances of the present case, the petitioners are entitled to maintenance @ Rs.75,000/- per month (Rs.35,000/- per month for Petitioner No.1 and Rs.40,000/- per month for petitioner no.2) from the date of filing of the application till the disposal of the petition filed by petitioners. Arrears be paid/deposited in the bank account of petitioner No.1 by the respondent within a period of five months from today. The respondent is further directed to pay monthly maintenance for the month of November, 2025 on or before 25th November, 2025 and



from the month of December, 2025 on or before 10th day of each English calendar month. Needles to add that if any payment has been made by the respondent to petitioner towards ad-interim maintenance or towards the school fees/interim maintenance i.e. after filing of the present petition in any Court, then, same will be adjusted.”

2. By way of the said order, the learned Family Court has disposed-of the interim application filed by the respondent; but the petition under section 125 of the Cr.P.C. is still pending consideration before the learned Family Court.
3. Upon being queried, learned counsel for the petitioner informs the court that the matter is at the stage of recording the petitioner's evidence.
4. In view of the fact that the petition under section 125 of the Cr.P.C. is still pending consideration, and the petitioner (husband) will have the opportunity of leading evidence and defending the claim for maintenance made by respondent(wife); and keeping in view the principle under section 438(2) of the BNSS, this court is not inclined to entertain the present petition.
5. The petition is accordingly dismissed at the stage of issuance of notice itself.
6. The petitioner shall be at liberty to raise all his rights and contentions before the learned Family Court.
7. It is clarified that this court has not expressed any opinion on the merits of the matter.

ANUP JAIRAM BHAMBHANI, J

APRIL 6, 2026/ak