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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P.(MAT.) 263/2026**

**MILAN SHARMA AND ORS**

.....Petitioners

Through: Mr. Krishan Kumar, Advocate.

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versus

**SHRIRAM**

....Respondent

Through:

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

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**13.05.2026**

**CRL.M.A. 15176/2026 (exemption)**

Exemption granted, subject to just exceptions.

The application stands disposed-of.

**CRL.M.A. 15177/2026**

By way of the present application filed under section 5 of the Limitation Act 1963, the applicants/petitioners seek condonation of about 130 days' delay in *filing* the present criminal revision petition.

2. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.
3. The criminal revision petition is taken on Board.
4. The application stands disposed-of.

**CRL.REV.P.(MAT.) 263/2026**

5. By way of the present petition filed under sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioners impugn order dated 23.12.2025 passed by the learned Family Court,



North-West District, Rohini Courts, Delhi, whereby the petitioners have been granted interim maintenance of Rs. 6,163/- per month each from the date of filing of the petition under section 125 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') till the pendency of the petition.

6. Learned counsel appearing for the petitioners (wife and children) submits, that the amount of interim maintenance awarded is low, keeping in view the salary of the respondent, who is a Constable in the Delhi Police. They accordingly seek enhancement.
7. Counsel submits, that the learned Family Court has proceeded on the basis of the affidavit of income and assets as filed by the respondent (husband), which shows his salary as Rs. 29,365/- per month. Counsel submits, that the said amount of salary has been assessed based on the salary slip of the respondent for the month of March 2016, which shows his gross monthly salary of Rs. 33,131/-; and after statutory deductions, the amount of salary comes to Rs. 30,185/- per month as on March, 2016.
8. Based on the aforesaid quantum of salary, the learned Family Court has applied the principle enunciated by this court in **Annurita Vohra vs. Sandeep Vohra**,<sup>1</sup> and has awarded maintenance of Rs. 6,163/- to each of the petitioners.
9. It is further noticed that a copy of the salary slip of the respondent for the month of January 2025 shows his net pay as being Rs. 39,722/- per month.

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<sup>1</sup> (2004) SCC OnLine Del 192



10. The proceedings under section 125 Cr.P.C. are still pending before the learned Family Court.
11. In view of the above, this court is unable to discern anything remiss in the correctness, legality or propriety of the impugned order passed by the learned Family Court. Besides, the proceedings under section 125 of the Cr.P.C. are still pending before the learned Family Court; and if the proof of salary by way of the salary slip of January 2025, as placed on record, reflects the changed circumstances, the petitioners would be at liberty to seek enhancement of the interim maintenance awarded or other appropriate relief.
12. In view of the above, this court finds no basis to entertain the present revision petition, especially in light of restrictive remit of revisional proceedings under section 397(2) Cr.P.C./438(2) BNSS.
13. The present petition is accordingly disposed-of at the stage of issuance of notice itself.
14. Pending applications, if any, also stand disposed-of.

**ANUP JAIRAM BHAMBHANI, J**

**MAY 13, 2026**

*V.Rawat*