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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 544/2022 , CRL.M.A. 31978/2023, CRL.M.A.
24310/2024, CRL.M.A. 35306/2024
MINATIRANI MOHAPATRAPetitioner
Through: Mr. Mishal Vij, Advocate.

versus

MAHESH PRASAD MISHRARespondent
Through: Mr. Aditya Yadav, Advocate via
video-conferencing.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
08.04.2026

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In view of what was recorded in the last order dated 27.03.2026, the present petition has been listed in the supplementary list today.

2. The petitioner has sought enhancement of interim maintenance of Rs. 15,000/- per month awarded by the learned family court *vidé* order dated 18.05.2022, to Rs. 50,000/- per month.
3. The petition under section 125 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') is still pending before the learned Principal Judge, South-East District, Family Courts, Saket, New Delhi; and is posted next on 25.08.2026 for recording petitioner's evidence.
4. It is petitioner's contention in the present proceedings, that her husband is a Manager at the State Bank of India and earns about Rs. 1.5 lacs a month, in support of which, the petitioner has placed reliance on a salary slip of May 2024.



5. On the other hand, as recorded in impugned order dated 18.05.2022, the respondent (husband) has given details of his expenses and dependents, apart from alleging that the petitioner holds a B.A.LLB qualification; and therefore has her own income as well.
6. It is further observed that in order dated 18.05.2022, it is recorded that the respondent has in fact disputed his marriage with the petitioner as well as his income.
7. It is clear that the sum of Rs. 15,000/- per month awarded to the petitioner is by way of *ad-interim* maintenance, since the main petition is still pending before the learned family court.
8. At the same time, the petitioner (who is present in person) insists that the present matter be disposed-of today itself. The petitioner also beseeches the court that the main petition pending before the learned family court be also decided expeditiously.
9. In view of the aforesaid circumstances, this court is of the view that the petition under section 125 of the Cr.P.C. is still pending consideration before the learned family court; and the parties have been directed to lead evidence in those proceedings.
10. Besides, the whole-host of additional documents sought to be relied-upon by the petitioner in the present proceedings, cannot be considered by this court in its revisional jurisdiction; and the petitioner would get the opportunity of citing them in evidence before the learned family court. This court is cognizant of the constraints of its jurisdiction under 397(2) of the Cr.P.C. (section 438(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023).



11. Upon a conspectus of the foregoing, the present petition is disposed-of with a direction to the learned family court to decide the petition under section 125 of the Cr.P.C. that has been pending since 2019, as expeditiously as possible, and in any event within 04 months from the next date of hearing before that court.
12. The matter is directed to be listed before the learned family court on 15.04.2026.
13. The date of 25.08.2026 given earlier stands cancelled.
14. The learned family court is advised not to give unnecessary adjournments to either of the parties.
15. Accordingly, the petition is disposed-of in the above terms.
16. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 8, 2026

V.Rawat