2026:AHC:210734

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 6101 of 2026

Smt. Meenu Nagar And Another

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Revisionist(s)	:	Mohd Shahrukh Wasim Ansari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 83

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Mr. Mohd Shahrukh Wasim Ansari, learned counsel for the revisionist.

2. Learned counsel for the revisionist submits that he has preferred the instant criminal revision with the relief which has been mentioned in the prayer clause of the revision. The relief which has been mentioned in the revision is delineated below:-

> *"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to: Allow the present Revision Petition and modify the impugned order dated 24.08.2026 passed by Additional Principal Judge, Family Court No.2, Firozabad in Criminal Misc. Case No.288 of 2026 (Smt. Meenu Nagar and Another Vs. Ajay Nagar) under Section 144 B.N.S.S. Ps- Tundla, District-Firozabad, to the extent of the quantum of maintenance awarded and Enhance the monthly interim maintenance amount awarded to the Revisionist No.1 and 2 from Rs. 7000 per month to Rs. 70,000 per month, or to such other adequate amount as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, payable from the date of filing of the interim maintenance application."*

3. Learned counsel for the revisionist submits that the interim maintenance of Rs. 5,000/- awarded to the wife and Rs. 2,000/- awarded to the minor child is not sufficient. He further submits that opposite party No. 2-husband is working as an Assistant Teacher and is getting a salary

of about Rs. 75,000/- per month, therefore, in view of the judgment of the Hon’ble Supreme Court in **Kalyan Dey Chowdhury Vs. Rita Dey Chowdhury; AIR 2017 SC 2383**, 25% of the husband's salary would be just and proper towards maintenance, therefore, the impugned maintenance order may be modified.

4. Learned AGA for the State submits that the impugned interim maintenance order has been passed after considering the material available on record and the learned Family Court has rightly granted the amount of maintenance.

5. This Court has considered the submissions advanced by the learned counsel for the parties and perused the material available on record. Since the impugned order is only an interim maintenance order and the proceedings under Section 144 B.N.S.S. are still pending before the Family Court for final adjudication, this Court is not inclined to go into the merits of the case, therefore, this Court is of the view that there is no need to interfere in the impugned order at this stage.

6. The Additional Principal Judge, Family Court No. 2, Firozabad is directed to decide the pending application filed under Section 144 of the BNSS in accordance with law, within a period of six months, after providing an opportunity of hearing to both the parties and without granting any unnecessary adjournment.

7. Accordingly, the revision is **disposed of.**

(Praveen Kumar Giri,J.)

October 8, 2026
K.Tiwari

Digitally signed by :-
KRISHNA KANT TIWARI
High Court of Judicature at Allahabad