HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 6310 of 2026

Amit Chaturvedi

.....Revisionist(s)

Versus

State Of U.P. And 4 Others

.....Opposite Party(s)

Counsel for Revisionist(s)	:	Rama Kant Patel
Counsel for Opposite Party(s)	:	G.A.

Court No. - 83

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Sri Rama Kant Patel, learned counsel for the revisionist and Sri Pankaj Kumar, learned A.G.A. for the State.

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

> *"It is, therefore, most respectfully prayed that this Hon'ble Court may very graciously be pleased to allow the present revision, quash the judgment and order dated 22.9.2026 passed by the Judicial Magistrate Court No.4, Mathura, District Mathura in Case No.3163 of 2022, Chandni Chaturvedi Vs. Amit Chaturvedi, Under Section-23 of Domestic Violence Act, Police Station-Kotwali, District-Mathura and dismiss the Application No.10-ba filed Under Section-23 of the Domestic Violence Act.*
>
> *It is further prayed that this Hon'ble court may also be pleased to stay the operation and effect of the order dated 22.9.2026 passed by the Judicial Magistrate Court No.4, Mathura, District Mathura in Case No.3163 of 2022, Chandni Chaturvedi Vs. Amit Chaturvedi, Under Section-23 of Domestic Violence Act, Police Station-Kotwali, District-Mathura and dismiss the Application No.10-ba filed Under Section-23 of the Domestic Violence Act during the pendency of the present Revision in this Hon'ble court."*

3. Learned counsel for the revisionist submits that by the impugned order dated 22.09.2026 passed in a proceeding under Section 23 of the Protection of Women from Domestic Violence Act, 2005, the revisionist has been directed to pay Rs.5000/- per month as interim maintenance to opposite party no.2/wife. He further submits that the revisionist has already been directed to pay Rs.4000/- per month as maintenance amount to opposite party no.2 in the proceeding under Section 125 Cr.P.C. He submits that two orders of maintenance cannot be passed, therefore, the impugned order is liable to be set aside. against impugned order dated 01.05.2026,

4. Learned A.G.A. submits that against the impugned order, an appeal should have been filed under Section 29 of the Act, therefore, the revisionist should prefer an appeal rather than revision before this Court.

5. At this stage, learned counsel for the revisionist submits that he wants to file an appeal under the provisions of law, therefore, the instant revision may be dismissed as withdrawn.

6. In view of aforesaid, the instant revision is **dismissed as withdrawn** leaving it open for the revisionist to prefer an appeal against the impugned order in accordance with law.

(Praveen Kumar Giri,J.)

October 24, 2026
Manish Himwan

Digitally signed by :-
MANISH HIMWAN
High Court of Judicature at Allahabad