HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 6856 of 2026

Rohit Baweja

.....Revisionist(s)

Versus

State Of U.P. And 2 Others

.....Opposite Party(s)

Counsel for Revisionist(s)	:	Pankaj Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 83

HON'BLE PRAVEEN KUMAR GIRI, J.

1.Vakalatnama filed on behalf of opposite party Nos. 2 and 3 is taken on record.

2. Heard Sri Pankaj Kumar Singh, learned counsel for the revisionist, Sri Yash Pratap Singh, learned counsel for opposite party Nos. 2 and 3 and Sri Shashidhar Pandey, learned A.G.A. for the State.

3. 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 Honble Court may graciously be pleased to set aside the impugned judgment & order dated 25.08.2026 passed by District & Session Judge, Gautam Buddh Nagar in Criminal Appeal No. 90 of 2026 [Rohit Baweja Vs. Smt. Tanvi Tanya and Another) as well as impugned order dated 08.05.2026 passed by Civil Judge (Junior Division)/F.T.C.-2, Gautam Buddh Nagar in Complaint No. 27767 of 2023 [Tanvi Tanya Vs. Rohit Baweja and others), under Section 12 of Domestic Violence Act, Police Station-Sector 52 Noida, District Gautam Buddh Nagar, whereby the Civil Judge (Junior Division)/F.T.C.-2, Gautam Buddh Nagar has granted interim maintenance Rs. 30,000/- per month from the date of application dated 02.08.2025 on the 10th day of every month to the Opposite Party Nos.2 & 3 and Rs. 15,000/- as rent from the date of order dated 08.05.2026 on the*

10th day of every month to the Opposite Party Nos.2 & 3."

4. Learned counsel for the revisionist submits that the Civil Judge (Junior Division)/F.T.C.-2, Gautam Buddh Nagar, vide order dated 08.05.2026, directed the revisionist to pay interim monetary relief of Rs. 30,000/- per month to his wife and minor son, opposite party Nos. 2 and 3, with effect from the date of application, i.e., 02.08.2025, and an additional amount of Rs. 15,000/- per month towards house accommodation with effect from the date of the order. He further submits that the amount of interim monetary relief does not commensurate with the income of the revisionist. He further submits that yet no evidence has been adduced by the revisionist even then the amount of interim relief, to the tune of Rs.30,000/- per month has been granted by the trial court. He further submits that the revisionist is ready to pay the interim monetary relief amount from the date of order and if opposite party nos. 2 and 3 succeed in the pending application under Section 12 of the Protection of Women from the Domestic Violence Act, 2005 (hereinafter referred to as 'the Act, 2005') before the trial court, then the monetary relief may be granted as per law laid down by the Hon'ble Supreme Court in the judgment of **Rajnesh vs. Neha and another, (2021) 2 Supreme Court Cases 324**.

5. Learned counsel for the revisionist further submits that he does not want to press this revision on merits and it may be disposed of giving direction to the concerned Court to finally adjudicate the application filed under Section 12 of the Act, 2005 expeditiously. He further submits that in the interest of justice the arrears of the monetary relief amount from the date of application may be kept in abeyance till the final disposal of the pending application. He further undertakes that if this Court accepts the aforesaid request of the revisionist, the revisionist will clear all the dues/arrears of the monetary relief amount from the date of the order i.e. 08.05.2026 and he will also pay the interim monetary relief amount to his wife and son regularly on monthly basis.

6. Learned counsel for opposite party Nos. 2 and 3 submits that he has no objection to the aforesaid prayer of the learned counsel for the revisionist.

7. In view of above facts and circumstances and in interest of justice, the

order dated 08.05.2026 is modified to the extent that the arrears of interim monetary relief amount starting from the date of application i.e. 02.08.2025 upto 08.05.2026 shall remain stayed till the final decision of the pending application filed under Section 12 of the Act, 2005. However, the revisionist is directed to clear all the dues/arrears of monetary relief amount from the date of the order i.e. 08.05.2026 and shall pay the interim monetary relief amount to his wife and son regularly on monthly basis.

8. In case, the revisionist fails to comply with any of the aforesaid directions, the Civil Judge (Junior Division)/F.T.C.-2, Gautam Buddh Nagar, will be at liberty to proceed for recovery of the arrears of interim monetary relief from the revisionist in terms of order dated 08.05.2026 as per prevailing law. The Civil Judge (Junior Division)/F.T.C.-2, Gautam Buddh Nagar is directed to pass final order on the pending application filed under Section 12 of the Act, 2005, preferably within a period of six months, providing opportunity of hearing to the parties, without granting any unnecessary adjournments, in the light of law laid down by the Hon'ble Supreme Court in the case of **Rajnesh vs. Neha and another, (2021) 2 Supreme Court Cases 324.**

9. With the aforesaid directions, this revision is **disposed of.**

(Praveen Kumar Giri,J.)

October 29, 2026
K.Tiwari

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