



2025:CGHC:49393

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRR No. 1209 of 2025**

Amit Kumar Das S/o Shri Shantishankar Das Aged About 45 Years R/o Ward No. 12, Khongapani, Police Station Jhagarakhand District- Manendragarh-Chirmiri-Bharatpur (C.G.)

... Applicant**versus**

1 - Sushmita Das W/o Amit Kumar Das Aged About 38 Years Resident Of Resident Of Ward No. 12 Khongapani Police Station Jhagarakhand, District- Manendragarh - Chirmiri Bharatpur (C.G.) At Present R/o Near Circus Ground Manendragarh Police Station And Tehsil Manendragarh District - Manendragarh-Chirmiri-Bharatpur (C.G.)

2 - Kumari Anya D/o Amit Kumar Das Aged About 17 Years Minor Through Their Natural Guardian Mother Sushmita Das Resident Of Resident Of Ward No. 12 Khongapani Police Station Jhagarakhand, District- Manendragarh - Chirmiri Bharatpur (C.G.) At Present R/o Near Circus Ground Manendragarh Police Station And Tehsil Manendragarh District - Manendragarh-Chirmiri-Bharatpur (C.G.)

3 - Arav Das S/o Amit Kumar Das Aged About 8 Years Minor Through Their Natural Guardian Mother Sushmita Das Resident Of Resident Of Ward No. 12 Khongapani Police Station Jhagarakhand, District- Manendragarh - Chirmiri Bharatpur (C.G.) At Present R/o Near Circus Ground Manendragarh Police Station And Tehsil Manendragarh, District – Manendragarh-Chirmiri-Bharatpur (C.G.)

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For Applicant	:	Mr. Ramsajivan, Advocate.
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Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****26.09.2025**

1. Heard Mr. Ramsajivan, learned counsel for the applicant.
2. This Criminal Revision is being aggrieved of the judgment dated 14.07.2025 passed by the learned Family Court, Manendragarh, District – Koriya (C.G.) in Misc. Cr. Case No. 15/2025, whereby the learned Family Court allowed the application under Section 144 of BNSS filed by

the respondents, and ordered the applicant/husband that he has to pay the allowance for maintenance at the rate of total Rs. 24,000/- per month to the respondents.

- 3.** The facts, in brief, is that an application under Section 144 of BNSS was preferred by the respondents for grant of maintenance against the applicant stating her to be the wife and children of the applicant. It was pleaded in the application that the marriage was solemnized on 23.11.2025 between the applicant and the respondent No.1/wife and due to the wedlock of them, two children were born i.e. respondents No.2 and 3. On the allegation of the wife that after the marriage of 5-6 years, the husband tortured to the wife and also assaulted the wife and dispute arose between the couple. On the allegation of the wife is also that the husband has already married with one Muslim lady Nainab Nisha and on their wedlock one children namely Nishi Parveen was born and the husband is maintaining all the livelihood of that Muslim lady. The wife also pleaded in her application that the husband doing the work of contractor and also proprietor of the school and earning Rs. 20 Lakhs per anum, therefore, the wife demanded Rs. 40,000/- per month for her and her children.
- 4.** The applicant has filed the reply and denied the contention of the application filed by the respondents. The learned Family Court after recording the evidence of the parties passed the impugned order, whereby the learned Family Court allowed the application of the respondents and directed to the applicant to pay the total amount of Rs. 24,000/- per month to the respondents. The impugned order passed by the learned Family Court is without any appreciation of facts, and material available on record only on the basis of arbitrary manner, thus,

the impugned order is completely illegal. Hence, this revision.

5. Learned counsel appearing for the applicant submits that impugned order passed by the learned Family Court, is contrary to the facts and evidence available on record. It is further submitted that the wife herself left the house of the applicant and also doing the work of Principal in the Private School and earning sufficient amount for her livelihood. Hence, she is not entitled to get the maintenance from the applicant. Therefore, the impugned order is bad in law, perverse and erroneous, and the same it is liable to be set-aside/quashed.
6. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
7. Considering the submissions advanced by the learned counsel for the applicant, and from the perusal of the impugned order passed by the learned Family Court, it transpires that after hearing all the statements of the witnesses and perusing the evidence available on record, the learned Family Court has passed the impugned order, and there is no any illegality and infirmity while passing the same which requires interference by this Court.
8. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.
9. Let a certified copy of this order be transmitted to the concerned trial Court for necessary compliance and follow up action, if any.

Sd/-
(Ramesh Sinha)
Chief Justice