



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE GAJENDRA SINGH

CRIMINAL REVISION No. 2566 of 2023

.....
Appearance:

Shri Nitin Joshi - Advocate for the petitioner.

Shri Subodh Choudhary, learned counsel for the respondent [R-1].
.....

Heard on:16.04.2026

Delivered On:29.05.2026

ORDER

This criminal revision under Section 19(4) of the family Courts Act, 1984 is preferred being aggrieved by the order dated 19.04.2023 passed in MJCR No.100/2021 by Principal Judge, Family Court, Neemuch whereby an amount of Rs.2,000/- per month has been awarded as maintenance under Section 125 of Cr.P.C., 1973 from the date of order i.e. 19.04.2023.

2. An application for maintenance was preferred on 07.08.2021 alleging that marriage was solemnized on 27.04.2015 and wife was subjected to cruelty, neglect of maintenance, sufficiency of means of husband and inability to maintain herself and claimed for Rs.10,000/- per month and maintenance of Rs.2,000/- towards accommodation.

3. The application was opposed by filing reply raising the ground that at the time of marriage, the revision petitioner/wife was 13 years old only and he was 18 years of age and after marriage, he shifted to Udaipur and no



physical relations were established. The alleged act of cruelty is false. All the Stridhan is with the wife. Wife is not interested in living in matrimonial life with the husband.

4. The learned trial Court has recorded the testimony of wife as PW-1 and recorded the evidence of husband as DW-1 and as DW-2.

5. Appreciating the evidence, the learned Family Court has allowed the application partially as mentioned in para no.1 of this order.

6. Challenging the impugned order, this revision petition has been preferred.

7. Heard.

8. Counsel for the respondent has opposed the application.

9. Perused the record.

10. If the defense of the respondent/husband is taken at its face value than it emerges that revision petitioner was a victim of child marriage and thereafter in the grab of customs, she again is being victimized by providing the only meager amount of maintenance. It is sad picture of the right of the girls. She cannot be denied reasonable amount of maintenance. The amount of Rs.2,000/- per month cannot be justified and hence, it requires enhancement. Accordingly, the revision petition is allowed partly and the amount awarded in favour of wife is enhanced from Rs.2,000/- to Rs.6,000/- per month from the date of application i.e. 07.08.2021.

11. Parents, who are instrumental in solemnizing such marriage cannot escape from the liability. If the husband feels hardships then he has to take help of those parents who were instrumental in performing the child



marriage.

12. Accordingly, the CRR is allowed and disposed off.

A copy of this order be sent to the learned Family Court concerned for necessary information.

(GAJENDRA SINGH)
V. JUDGE

amit