



2026:AHC:172549

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 4957 of 2026

Ankush @ Sonu

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

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

Court No. - 86

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Shri Ashish Singh, 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.
2. 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 this revision and set aside the impugned order dated 17-6-2026 passed by the Principle Judge Family Court Hapur in Case No. 84 of 2024 (Smt. Preeti Versus Ankush @ Sonu) Under Section 125 of Cr.P.C. Police Station Garhmukteswar, District Hapur whereby the learned Family court has awarded the interim maintenance to the opposite party No. 2 the sum of Rs. 5000/- per month and Rs. 2000/- to Master Hardayansh son of revisionist and O.P no. 2 from the date of the application i.e. 26.11.2024.

It is further prayed that this Hon'ble Court may graciously be pleased to stay the effect and operation of the impugned order dated 17.06.2026 passed by the Principal Judge Family Court Hapur in Case No. 84 of 2024 (Smt. Preeti Versus Ankush @ Sonu) Under Section 125 of Cr.P.C. Police

Station Garhmukteswar, District Hapur whereby the learned family court has awarded interim maintenance to the opposite party No. 2 the sum of Rs. 5,000/- per month and Rs. 2000/- to Master Hardayansh son of revisionist and O.P no. 2 from the date of the filing of application i.e. 26.11.2024, during the pendency of the present criminal revision before this Hon'ble Court otherwise the revisionist shall suffer irreparable loss and injury."

3. Learned counsel for the revisionist submits that vide order dated 17.06.2026, interim maintenance to the tune of Rs.5,000/- to the wife and Rs.2,000/- to the son has been granted from the date of application. He further submits that the revisionist is ready to pay the amount of interim maintenance from the date of order. He further submits that at the time of final adjudication, the Principal Judge, Family Court, Hapur shall pass an order granting maintenance either from the date of order or from the date of application, as per the judgment of the Hon'ble Supreme Court in **Rajnesh vs. Neha; (2021) 2 SCC 324**.

4. In the interest of justice, the arrears of maintenance from the date of application up to 17.06.2026, shall remain stayed. So far as interim maintenance from the date of order, i.e., 17.06.2026, is concerned, the same shall be paid by the revisionist from this month. The revisionist is also directed to clear all the dues/arrears of maintenance amount from the date of the order i.e. 17.06.2026.

5. In case, the revisionist fails to comply with any of the aforesaid directions, the Principal Judge, Family Court, Hapur will be at liberty to proceed for recovery of the arrears of maintenance amount from the revisionist in terms of order dated 17.06.2026.

6. The Principal Judge, Family Court, Hapur is also directed to pass final order on the pending application under section 125

Cr.P.C./144 B.N.S.S., preferably within a period of six months after providing opportunity of hearing to the parties, without granting any unnecessary adjournments.

7. It will be still open for the Principal Judge, Family Court, Hapur that at the time of finally deciding the application under Section 125 Cr.P.C./144 B.N.S.S., in view of the judgment of **Rajnesh** (supra), maintenance amount may be awarded either from the date of application or from the date of order.

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

August 17, 2026

K.Tiwari

(Praveen Kumar Giri,J.)