



2026:AHC:173725

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 4996 of 2026

Shashank Kumar Singh

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Bindu Kumari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 86

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Ms. Bindu Kumari, 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 graciously be pleased to allow the present Criminal Revision and set aside the impugned order dated 30.06.2026 passed by the learned Court of Principal Judge, Family Court, Gautam Buddh Nagar in Criminal Misc. Case no. 324 of 2024 (Smt. Sukriti Singh Vs. Shashank Kumar Singh), under section 125 Cr.P.C., Police Station Bistrakh, District Gautam Buddh Nagar, whereby the application of the opposite party no. under section 125 Cr.P.C. has been allowed illegally and awarded Rs. 8,000/- from date of application to opposite party no. 2 as interim maintenance. And/or pass such other and further orders which this Hon'ble Court may deem fit and proper under the circumstances of the case, otherwise the revisionist shall suffer irreparable loss and injury."

3. Learned counsel for the revisionist submits that court of Principal Judge, Family Court, Gautam Buddh Nagar vide order dated 30.06.2026 directed the revisionist to pay Rs.8000/- per month to his wife/opposite party no.2 as an interim maintenance from the date of application i.e. 15.04.2024. She further submits that the amount of interim maintenance does not commensurate with the income of the revisionist. She further submits that she does not want to press this revision on merits and it may be disposed of giving direction to the concerned Family Court to finally adjudicate the application under Section 125 Cr.P.C./144 BNSS expeditiously. She further submits that in the interest of justice the arrears of the maintenance amount from the date of application i.e. 15.04.2024 may be kept in abeyance till the final disposal of the pending application under section 125 Cr.P.C./144 BNSS. She further undertakes that if this Court accepts the aforesaid request of the revisionist, the revisionist will clear all the dues/arrears of the maintenance amount from the date of the order i.e. 30.06.2026 and he will also pay the interim maintenance amount to his wife regularly on monthly basis.

4. In view of above facts and circumstances and in interest of justice, the arrears of interim maintenance amount starting from the date of application i.e. 15.04.2024 upto 29.06.2026 shall remain stayed till the final decision of the pending application under Section 125 Cr.P.C./144 BNSS. However, the revisionist is directed to clear all the dues/arrears of maintenance amount from the date of the order i.e. 30.06.2026 and he shall continue to pay the interim maintenance amount to his wife regularly on monthly basis.

5. In case, the revisionist fails to comply with any of the aforesaid directions, the Principal Judge, Family Court, Gautam Buddh Nagar, will be at liberty to proceed for recovery of the arrears of maintenance amount from the revisionist in terms of order dated 30.06.2026 as per prevailing

law. The Principal Judge, Family Court, Gautam Buddh Nagar is directed to pass final order on the pending application under section 125 Cr.P.C./144 BNSS, 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.**

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

(Praveen Kumar Giri,J.)

August 18, 2026

Manish Himwan