



2026:AHC:67204

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION DEFECTIVE No. - 66 of 2026

Sumita Singh

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Abhishek Shukla, Shivam Mishra
Counsel for Opposite Party(s) : G.A.

Court No. - 87

HON'BLE PRAVEEN KUMAR GIRI, J.

Order on Criminal Misc. Delay Condonation Application No.1 of 2026

1. This is an application seeking condonation of delay in filing the revision application.
2. The ground mentioned in the delay condonation application is found sufficient.
3. Accordingly, the delay is condoned. This application is allowed.

Order on Criminal Revision

1. Heard learned counsel for the revisionist and learned A.G.A. for the State.
2. Learned counsel for the revisionist submits that the present criminal revision has been filed with the relief which has been mention in the prayer clause. The prayer clause is delineated below:-

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow this application and enhance / modified the Impugned judgment and order dated 19-08-2025 passed by the Additional Principal Judge, Family Court No. 5, Ghaziabad in Case in Case No. 683 of 2023 (Sumita Singh vs

Vikas Kumar) under section 125 Cr. P.C., Police Station-Nandgram, Ghaziabad, whereby allowed the application of interim maintenance and awarded only Rs. 4000/- per month to revisionist till the final disposal of case from date of order under section 125 Cr. P. C., which is not sufficient for monthly maintenance of the revisionist.

It is further prayed that this Hon'ble court may graciously be pleased to enhance the monthly interim maintenance allowance of the revisionist to enable them to maintain themselves; otherwise, the revisionist shall suffer irreparable loss and injury. And/or pass such other and further order as this Hon'ble court may deem fit and proper under the facts and circumstances of the case."

3. Learned counsel for the revisionist further submits that the present criminal revision has been preferred against the order dated 19.08.2025, whereby interim maintenance has been awarded in favour of the wife, directing the opposite party No.2–husband to pay a sum of Rs. 4,000/- per month. He further submits that the husband is employed in the Merchant Navy and is earning a salary of more than Rs. 1,00,000/- per month; therefore, the amount of maintenance so awarded is wholly inadequate and not commensurate with the income of the husband.

4. This Court finds that the application filed by the revisionist under Section 125 Cr.P.C. is still pending final adjudication. Accordingly, the learned Principal Judge, Family Court, is directed to decide the said application expeditiously, after affording due opportunity of hearing to both parties, and without granting unnecessary adjournments.

5. In the event the opposite party No. 2 (husband) fails to appear in the proceedings under Section 125 Cr.P.C., the court concerned shall be at liberty to proceed ex parte and pass appropriate orders, upon recording its satisfaction that summons and notice have been duly served upon the opposite party No. 2 (husband).

6. The interim maintenance amount shall be paid by the husband till final adjudication of the pending application filed under Section 125 Cr.P.C.

7. In view of the above, this criminal revision is disposed of.

March 31, 2026

DKS

(Praveen Kumar Giri,J.)