



2026:AHC:60365

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 962 of 2026

Ankit @ Mayank Agnihotri

.....Revisionist(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Revisionist(s) : Namrata Shukla, Santosh
Kumar Shukla

Counsel for Opposite Party(s) : G.A.

Court No. - 87

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Shri Santosh Kumar Shukla, learned counsel for the revisionist submits that he has filed 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 kindly be pleased to allow this revision and set-aside the impugned Judgment order dt. 15.11.2025 passed by Ld. Principal Judge/ Family Court, Auraiya in Criminal Case No. 455/2021 U/S 125 Cr.P.C.; Smt. Akanksha & Another Vs. Ankit @Mayank Agnihotri, dismissing the application 39 Kha of the revisionist filed U/S 127(1) and issuing Recovery as well as Non Bailable Warrants against the revisionist.

It is further prayed that operation and effects of impugned order dt. 15.11.2025 passed by Ld. Principal Judge/ Family Court Auraiya dismissing the application 39 kha of the revisionist filed U/S 127(1) Cr.P.C. in Criminal Case No. 455/2021, U/S 125 Cr.P.C.; Smt. Akanksha & Another vs. Ankit @ Mayank Agnihotri may kindly be kept in abeyance

till the pendency of the present revision."

3. Learned counsel for the revisionist submits that the Principal Judge, Family Court, Auraiya vide order dated 18.08.2022 has granted interim maintenance to the tune of Rs. 2,500/- to the wife till final adjudication of the application filed under Section 125 Cr.P.C.

4. Learned counsel for the revisionist further submits that the application under Section 125 Cr.P.C. was filed while the wife was residing at the house of her father. He further submits that now the wife, along with her mother and other family members, are residing in the ancestral house of the revisionist in one portion, while the remaining portion has been let out on rent and the said rent is being received by the wife.

5. Learned counsel for the revisionist submits that the amount of Rs. 2,500/-, i.e., granted as maintenance be rejected in lieu of the rent amount and accommodation to the wife.

6. This Court has perused the entire record and finds that a meagre amount has been granted by the Principal Judge, Family Court towards interim maintenance to the wife and there is no material change in the circumstances. Thus, the order dated 18.08.2022 passed by the Principal Judge, Family Court, Auraiya cannot be modified under Section 127 Cr.P.C.

7. In the facts and circumstances of the case, there is no illegality in the order passed, therefore, the criminal revision is **dismissed**.

8. Learned counsel for the revisionist, at this stage, submits that the revisionist is ready to deposit the entire arrears of maintenance within a period of one month and the monthly maintenance amount shall be paid on due date.

9. On the said assurance, no coercive measure shall be adopted by the concerned family court against the revisionist for a

period of one month.

10. In case the amount is not deposited within the aforesaid period, the concerned court shall be at liberty to proceed in accordance with law, including taking coercive action and attachment of property of the revisionist-husband and thereafter, the amount of arrears along with simple interest of bank shall be paid to the wife.

11. The Principal Judge, Family Court, Auraiya is directed to decide the pending proceedings expeditiously without granting any unnecessary adjournment to either of the parties.

March 24, 2026

K.Tiwari

(Praveen Kumar Giri,J.)