



IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE AVANINDRA KUMAR SINGH

ON THE 20<sup>th</sup> OF FEBRUARY, 2026

CRIMINAL REVISION No. 3665 of 2024

*KAMALJEET SHUKLA*

*Versus*

*SMT. POONAM SHUKLA*

.....  
Appearance:

*Ms. Disha Rohitaj - Advocate for the applicant.*

*Mr. Sumit Tiwari - Advocate for the respondent.*  
.....

ORDER

With the consent of learned counsel for the parties, matter is heard finally.

2. This revision is filed by the applicant/husband against the order dated 27/05/2024 passed by the Principal Judge, Family Court, Rewa in MJCR No.122/2022, wherein the learned Family Court has allowed the application under Section 125 of Cr.P.C. and granted maintenance of Rs.6000/- per month to the non-applicant/wife and directed the husband to pay the maintenance amount from the date of filing of application i.e. 26/07/2022.

3. Record is available.

4. Learned counsel for the applicant submits that the Family Court has assessed the income of the husband on the basis of presumption. The trial Court did not consider reply filed by the husband and passed the



impugned order holding that the applicant is running a business in the name and style of Kamal Super Bazar and also having ancestral property and he is able to pay interim maintenance ignoring the fact that the applicant is living separately because of the bad behavior of the respondent/wife with the family of the applicant/husband and the applicant has no source of income.

5. Learned Family Court has passed the impugned order dated 27/05/2024 on the basis of presumption with ill intention against the applicant ignoring the reply and financial condition of the husband. The award is on higher side.

6. It is further submitted that the Family Court has clearly mentioned in Para-27 & 28 in its order that the shop named Kamal Super Bazar is owned by his elder brother Samarjeet Shukla and the applicant Kamaljeet has only ancestral property. Applicant/husband has no share in the shop. It is further stated that wife has Master Degree in political Science and capable of teaching students. In view of the aforesaid, it is prayed that the impugned order should be set aside.

7. On the other hand, learned counsel for the respondent/wife supports the impugned order and submits that there is no ground for interfering in the impugned order. It is further submitted that it is the duty of the husband to support his wife and the maintenance amount of Rs.6000/- cannot be said to be excessive.

8. Heard learned counsel for the parties and perused the record.

9. A crucial point in the revision petition is that the husband nowhere



argues that the wife is living separately without justified reason. As this should have been the primary contention, failing to address it implies that the applicant/husband accepts that the wife is living separately for a sufficient reason. Consequently, if this first point is decided in favor of the wife, the only remaining question is the appropriate amount of maintenance. It is said that wife have a Master degree but jobs are not easily coming in any one's way easily. In India, it is not a case that four good jobs are lying vacant and there is only one applicant. The ratio of available jobs to the population; especially the qualified, young, and capable workforce, is highly disproportionate. This is a fact of common knowledge which needs no citation or pleadings.

10. Even if assuming that the wife has a Master degree in political science, the law would still lean in her favour regarding her capacity to work and suitable job availability.

11. Learned counsel for the applicant further submits that wife has a shop and they have filed some photographs i.e. Article D/1, D/2 & D/3 which shows that wife is standing at a shop and going away.

12. This Court has perused these photographs, but they can hardly be considered sufficient evidence to deny maintenance to the legally wedded wife when her husband is not supporting her. Is she expected to sit in *Choraha* and beg, while she waits for getting a maintenance order from the Court. In fact, if it is true then she has done the right thing by working in a shop with dignity as she is entitled to maintenance from her husband but not getting maintenance. The fact that she is working



simply to keep body and soul together cannot be used as a ground to deny her that maintenance

13. In view of the aforesaid, this Court is of the view that the order passed by the Family Court is just and proper. There is no ground to interfere in the impugned order. Accordingly, the revision being devoid and is hereby **dismissed**.

(AVANINDRA KUMAR SINGH)  
JUDGE

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