



2025:DHC:11685



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: December 18, 2025*

+ **CRL.REV.P.(MAT.) 578/2025 & CRL.M.A. 37891/2025, CRL.M.A. 37892/2025, CRL.M.A. 37893/2025**

SH ANKIT KUMARPetitioner
Through: Mr. Rahul Thakur, Adv.
(through VC)

versus

MS SONAMRespondent
Through:

**CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN**

AMIT MAHAJAN, J. (Oral)

1. By the present petition, the petitioner challenges the order dated 14.07.2025 (hereafter '**the impugned order**') passed by the learned Judge, Family Court, Saket Court, New Delhi in MT No. 402/2023 whereby the learned Family Court in an application preferred by the respondent under Section 125 of the Code of Criminal Procedure, 1973 ('**CrPC**') directed the petitioner to pay interim maintenance of ₹12,000/- per month to the respondent.

2. The learned Family Court considered the bank statement of the petitioner along with his income affidavit. It was noted that from the bank statement filed by the petitioner from the year



2021 to the year 2024, it transpired that apart from a fixed salary, there was also a regular inflow of money in the account of the petitioner. It was noted that the money transfers in the account of the petitioner were by way of UPI and PhonePe applications apart from a salary transfer from Kings Security Guard that seemed to be the petitioner's employer. Consequently, considering the credits in the account of the petitioner, the learned Family Court assessed the income of the petitioner as ₹50,000/- to ₹60,000/- and awarded a sum of ₹12,000/- as interim maintenance to the respondent.

3. The learned counsel for the petitioner submits that the petitioner is working as an office boy and earning a sum of ₹17,500/- per month. He submits that in such circumstances the learned Family Court erred in awarding a sum of ₹12,000/- per month as interim maintenance to the respondent. He submits that the petitioner also has to take care of his mother, sister and grandmother and submits that the payment of ₹12,000/- per month to the respondent is not feasible.

4. The scope of revisional jurisdiction under Sections 397 and 401 of the CrPC is narrow and circumscribed. Interference is warranted only where the impugned order suffers from patent illegality, perversity, gross impropriety, or results in miscarriage of justice.

5. It is equally well-settled that orders granting interim maintenance are based on a *prima facie* assessment of material placed before the Court, and ordinarily ought not to be interfered with unless the finding is wholly arbitrary or untenable.



6. It is pertinent to note that the relationship between the parties has not been disputed.

7. Upon a perusal of the impugned order, it is apparent that while granting interim maintenance, the learned Family Court took into account all the contentions raised by the petitioner. Further, while doing so, the learned Family Court noted that in addition to the salary of ₹17,500/-, there was regular inflow of money in the account of the petitioner. The learned Family Court further took into account the account statement of the petitioner till April 2024 and noted that the following credits were made to the petitioner's account including his salary : ₹50,000/- in November 2023, ₹75,000/- in December 2023, more than ₹52,000/- in January 2024, around ₹98,000/- in February 2024 and more than ₹53,000/- in March, 2024. As rightly appreciated by the learned Family Court, the petitioner could not provide any explanation in regard to the other amounts credited to his account. The learned Family Court further noted that the respondent did not have any source of income.

8. Consequently, considering that the account statement of the petitioner revealed that there was a credit of ₹3,26,000/- in a span of five months, the learned Family Court rightly assessed the income of the petitioner as ₹50,000/- to ₹60,000/- per month.

9. The petitioner, at this stage, has not brought forth any material to highlight that the respondent is employed or has her own source of income.

10. In such circumstances, in the opinion of this Court, the grant of interim maintenance of ₹12,000/- to the respondent is



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not unreasonable at this stage. Evidently, the learned Family Court has undertaken only a *prima facie* assessment of the material on record.

11. It is not disputed that the impugned order is only an order of interim maintenance. The defences raised by the petitioner, along with the allegations and counter allegations, would be the subject matter of the evidence, and cannot be finally decided at this stage.

12. The learned Family Court is directed that the final order be passed in the case uninfluenced by the findings made in the impugned order or this order.

13. In view of the above, this Court finds no reason to interfere with the impugned order and the present petition is accordingly dismissed. Pending application also stands disposed of.

AMIT MAHAJAN, J

DECEMBER 18, 2025

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