IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
Cr. Revision (FC) No.40 of 2026
Decided on 14th September 2026

Sher Singh

…Petitioner

Vs.

Savitra Devi

…Respondent

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Hon'ble Mr. Justice Yogesh Jaswal, Judge

[1]Whether approved for reporting?

For the petitioner	**:**	**Mr. Devender Kumar, Advocate.**
For the respondent	**:**	**Mr. Maan Singh, Advocate.**

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioner has, *inter alia*, prayed for the following relief:-

> *"It is, therefore, most respectfully prayed that this petition may very kindly be allowed and the impugned order dated 18.10.2025 passed by the learned Principal Judge Family Court, Kullu, District Kullu, H.P., Case No.125 Cr.PC No.24 of 2023, titled as Savitra Devi V/s Sher Singh, whereby the Learned Principal Judge Family Court, Kullu, District Kullu, HP allowed the application under Section 125 of the Code of Criminal Procedure filed by the respondents; may kindly be quashed and set aside in the interest of justice and fair play and any other relief which deems fit and proper in the fact and circumstances of the case may kindly be passed in favour of the petitioner and against the respondents."*

2. The petitioner is aggrieved by the order passed by the Court of learned Principal Judge, Family Court, District

High Court of H.P.

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Kullu, H.P., in Case No.125 Cr.P.C No.24 of 2023, titled Savitra Devi versus Sher Singh, dated 18.10.2025, in terms whereof, the petition filed by the respondent herein under Section 125 of the Criminal Procedure Code for the award of monthly maintenance allowance stands disposed of by the learned Court below by awarding an amount of Rs.7,500/- to the respondent herein as monthly maintenance allowance from the date of the filing of the application.

3. It has further been observed in the order by the learned Court below that the interim maintenance, if any, allowed to the wife shall be adjusted/set off to the amount so awarded by this Court.

4. Having heard learned counsel for the parties and having perused the order under challenge, we do not find any infirmity therein.

5. It is apparent and evident from the order that the petitioner himself admitted in his cross-examination that he was drawing a pension of Rs.30,000/- from the Department, from where he retired as an HHC i.e., the Police Department.

High Court of H.P.

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6. That being so, an amount of Rs.7,500/- awarded by the learned Court below as monthly maintenance allowance cannot be said to be an exorbitant amount.

7. The contention of the learned counsel for the petitioner that the petitioner is an aged man does not convince us for the reason that obviously, as the petitioner is an aged man, his wife, i.e., the present respondent is also an aged woman. It could not be demonstrated before this Court that the respondent has some other independent source of income and in the light of this fact, obviously, an amount of Rs.7,500/- per month cannot be said to be an exorbitant monthly maintenance allowance awarded by the learned Court below in favour of the respondent.

8. In fact, in terms of this order also, the respondent just shall be having an amount of Rs.250/- per day at her disposal to look after her needs and we are of the considered view that an amount of Rs.250/- per day is not all that much amount that a person can live a very, very luxurious daily life on account thereof. It is just enough may be to enable the wife to make her two ends meet.

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9. Accordingly, in the light of the above observations, as we do not find any infirmity in the order under challenge and further as we do not find any merit in the present petition, the same is dismissed.

10. Pending miscellaneous applications, if any, also stands disposed of.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

September 14, 2026
(Vinod)

High Court of H.P.

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