



CrPC, S. 125, Wife entitled to maintenance even if she unilaterally granted divorce to her husband

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Criminal Procedure Code, 1974, Section 125 - Courts below refused to grant [maintenance](#) in favour of the petitioner wife on the ground that she unilaterally granted divorce to her husband and her [conduct](#) was not inspiring and she was not considered to be a destitute as she wilfully neglected her husband - Law is absolutely settled that even a divorced wife is entitled to get maintenance till her remarriage if she is unable to maintain herself - The impugned order does not suggest any finding as to whether the petitioner was able or unable to maintain herself or not independently - Order set aside.

[2021 SCeJ 931 \(Cal.\)](#)

Tags: [21.JUL.1](#), [CrPC S. 125](#), [Maintenance - Divorce](#)