

GAHC010257612023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./486/2023

AMINUL ISLAM
S/O NAHEZ MIYA,
R/O VILL- BHULUKABARI, P.O. JARABARI
MOUZA- BETBARI, P.S. BARPETA,
DIST. BARPETA, ASSAM,
PIN-781316.

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:SHAHIDA KHATUN
D/O SHAFIQUUL ISLAM
R/O VILL- MARICHA
P.O. KAYAKUCHI
MOUZA- BETBARI
P.S. BARPETA

DIST. BARPETA
ASSAM
PIN NO. 78135

Advocate for the Petitioner : MR. A U CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY

ORDER

22.04.2024

None appears for the petitioner on call. None did represent the petitioner when the matter was called on 28.03.2024.

The present revision petition is filed against an interim order of maintenance passed by the learned Principal Judge, Family Court, Barpeta in FC (Crl) 109/2023 in exercise of its power under Section 125 Cr.P.C.

By the aforesaid order, an interim maintenance of Rs. 2,000/- was awarded in favour of the respondent No. 2 and notice was issued to the petitioner herein. Such order in the considered opinion of this court is an interlocutory order and that being the position, the petitioner shall have fair opportunity to present his case before the learned court below inasmuch as no case of any jurisdictional error has been made out. Accordingly, this court is of the opinion that no illegality has been committed while passing the interim order dated 21.02.2023.

Accordingly, the present revision petition stands dismissed. However, the observation made in this order may not be treated as any comment of the merit of the claim of the parties.

JUDGE

Comparing Assistant