

20.03.2024
Serial no.36
Aloke
Ct. No. 30

**CRR 2694 of 2022
with
IA No. CRAN 1 of 2023**

**Ashwin Mohata
Vs.
State of West Bengal & Anr.**

For the petitioner : Mr. Kaushik Pradhan.

For the State : None.

For the opposite party : Mr. Ayan Bhattacharjee,
Mr. Pawan Kumar Gupta,
Mr. Manish Shukla,
Ms. Sofia Nesar,
Mr. Santanu Sett,
Mr. Shounak Mondal.

1. Heard both sides in full.
2. The present revisional application has been preferred by the **husband/petitioner** against the order dated 6th July, 2022 passed by the learned Judicial Magistrate, 6th Court, Sealdah, 24 Parganas (South) in Misc. Case No. 116 of 2019 **under Section 125 Cr.P.C.**
3. It is seen from the record that the parties were married on 10th December, 2013. But subsequently the wife was compelled to leave her matrimonial home in April, 2014 i.e. within four months of marriage.
4. The present proceeding and the order under revision arises out of a proceeding under Section 125 Cr.P.C. and the order under revision relates to an order of **interim maintenance.**

5. On hearing both the parties and considering the materials on record, this Court is of the view that the order of the learned Trial Court requires no interference and that the parties should appear before the learned Trial Court and have the matter heard finally.
6. The learned Trial Court shall dispose of the application under Section 125 Cr.P.C. finally following with the guidelines of the Hon'ble Supreme Court in ***Rajnesh vs. Neha & Anr., (2021) 2 SCC 324.***
7. Both the parties are at liberty to file their respective affidavit-of-assets and liabilities before the learned Trial Court within one month from the date of this order and the Trial Court shall make necessary efforts to dispose of the present proceeding within six months thereafter.
8. **The present revisional application being CRR 2694 of 2022 is, thus, disposed of.**
9. All connected Applications, if any, stands disposed of.
10. Interim order, if any, stands vacated.
11. Copy of this order be sent to the learned Trial Court for necessary compliance.
12. Urgent certified website copy of this order, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.

(Shampa Dutt (Paul), J.)