

15.05.2025
SL No.72
Court No.22
S.Gayen

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

CRR 1242 of 2024

with

CRAN 1 of 2025

Avijit Das

Versus

Ranjita Das (Nee Bhunia)

Mr. Pritam Choudhury

...for the Petitioner

Mr. Anshunath Chakraborty

...for the Opposite Party

1. This revisional application has been filed assailing the judgment and order passed in Misc. Case No. 69 of 2014, wherein learned Additional Principal Judge, Family Court, Calcutta disposed of an application under Section 125 CrPC, admittedly without complying the directions of the celebrated judgment of ***Rajnesh vs. Neha*** reported in ***(2021) 2 SCC 324*** detailing specific guidelines particularly in paragraph 72.1 which runs as follows:-

“72.1. (a) The affidavit of Disclosure of Assets and Liabilities annexed at Enclosures I, II and III of this judgment, as may be applicable, shall be filed by the parties in all maintenance proceedings, including pending proceedings before the Family court/District Court/Magistrate’s Court concerned, as the case may be, throughout the country;”

2. Both the learned counsel appearing on behalf of the parties are *ad idem* of the fact that the learned Trial Judge did not comply with the guidelines of ***Rajnesh*** (supra).

3. Considering all facts and circumstances, the judgment assailed in the revisional application stands set aside with a direction upon the learned Additional Principal Judge, Family Court, Calcutta to rehear the application under Section 125 CrPC strictly in compliance with the guidelines of the decision of the Hon'ble Apex Court referred to above and also after considering the evidences already recorded in the proceeding.
4. Let the matter be remanded back to the Court of learned Additional Principal Judge, Family Court, Calcutta, for compliance.
5. With the aforesaid observations, the revisional application stands disposed of.
6. Interim order, if any, stands vacated and the connected application, if any, also stands disposed of accordingly.
7. Parties are at liberty to communicate this order to the learned Judge for information.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
9. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all requisite formalities.

(Bibhas Ranjan De, J.)