



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRR No. 655 of 2023Samarth Awasthi **Versus** Smt. Abhilasha Awasthi

07/03/2024	Mr. Vivek Shrivastava, counsel for the applicant. Mr. Devesh Kela, counsel for the respondent. Learned counsel for the respondent submits that he may be granted 3 days time to make his submission. Learned counsel for the applicant submits that respondent though filed affidavit as observed by Hon'ble Supreme Court in the case of Rajnish Vs. Neha And Anr. (2021) 2 SCC 324, however, in the column of income, there is no mention of income and she left it blank. As per his information, respondent is employed in a company and is earning handsome income. He also contended that applicant has also filed an application under Order 6 Rule 17 of CPC seeking amendment in the reply to the application under Section 125 of Cr.P.C. as also application under Section 91 of Cr.P.C. for production of documents, however, learned trial Court taking no cognizance of these applications had adjourned the case on number of dates for reply as also for hearing arguments of both the parties on the said applications, however, applications remained undecided and final orders have been passed in the application under Section 125 of Cr.P.C. Considering the submission of learned counsel for the respective parties as also the fact that affidavit submitted by the respondent does not mention any entry in the statement with regard to income, learned counsel for the respondent is directed to



submit fresh affidavit in this regard by the next date of hearing.

At this stage, learned counsel for the applicant submits that in the proceedings under Section 125 (3) of Cr.P.C. arrest warrant has been issued against the applicant, hence, matter may be taken up on earlier date.

As prayed by learned counsel for the parties, list this case on **14.03.2024**.

Till the next date of hearing, it is directed that no coercive steps shall be taken against the applicant pursuant to arrest warrant issued against him.

Sd/-
(Parth Prateem Sahu)
Judge