

GAHC010184212024



2025:GAU-AS:14347

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

Case No. : Crl.Rev.P./351/2024

IKRAMUL HOQUE
S/O LT. ABUL KASHEM
R/O VILL- DHUPAGURI GAON
P.S. DHING, DIST. NAGAON, ASSAM
PIN-782123

VERSUS

SAFIA KHATUN
W/O IKRAMUL HOQUE
R/O VILL- DHUPAGURI GAON,
P.S. DHING,
DIST. NAGAON, ASSAM
PIN-782123

Advocate for the Petitioner : MR. M HOSSAIN, MR J HUSSAIN,MD A WADUD

Advocate for the Respondent : MR. SARFRAZ NAWAZ, MR. SURAJIT DAS,MR. A W
AMAN,SAMIM RAHMAN,MS. SURAYA RAHMAN

Linked Case : I.A.(Crl.)/856/2024

IKRAMUL HOQUE
S/O LT. ABUL KASHEM R/O VILL- DHUPAGURI GAON P.S. DHING
DIST. NAGAON
ASSAM PIN-782123

VERSUS

SAFIA KHATUN
W/O IKRAMUL HOQUE R/O VILL- DHUPAGURI GAON
P.S. DHING
DIST. NAGAON
ASSAM PIN-782123

Advocate for : MR. M HOSSAIN
Advocate for : appearing for SAFIA KHATUN

B E F O R E
HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA
ORDER

28.10.2025

None appears for the petitioner. Heard Mr. Sarfraz Nawaz, learned counsel appears for the sole respondent.

2. This application was preferred challenging the order dated 15.07.2024 passed in Criminal Misc (Limitation) Case No. 11/2022 by the learned Addl. Sessions Judge No. 2, Nagaon whereby the petition for condoning of delay for filing an appeal under Section 29 of The Protection of Women from Domestic Violence Act, 2005 was dismissed and also the order dated 07.06.2022 passed in Case No. DV 212/2020 by the learned JMFC, Nagaon, whereby inter alia the petitioner was directed to arrange for separate accommodation and pay rent for the same for the respondent.

3. By the said order, it was further directed to pay Rs. 3000/- per month as well as Rs. 20,000/- jointly as compensation alongwith Rs. 3000/- jointly as the cost of the case.

4. In the course of hearing of the instant revision, it has transpired that pursuant to the impugned orders, the petitioner had not paid a single paisa to the sole respondent. The petitioner was also allowed to file additional affidavit bringing on record certain documents as prayed for on the condition that the petitioner shall deposit the maintenance for one year starting from 07.06.2022 till 07.06.2023 before the Registry of this Court. But, no such deposit was made despite assurances that arrangements for making such deposit could be made.

5. Subsequently, it was submitted on behalf of the petitioner that further time was required to carry out settlement discussion with the respondent but no amount was paid due to the alleged ill health and financial condition of the petitioner who had two other wives to maintain. It also transpired that the respondent was not contacted by the petitioner for the purpose of any settlement discussion.

6. Having regard to the same, this Court vide order dated 16.09.2025 had vacated the order dated 11.09.2024 passed in I.A (Crl.) No. 856/2024, keeping in abeyance, the NBWA issued against the petitioner. On the subsequent date fixed, no concrete steps were shown to have been taken by the petitioner and today, none had appeared for the petitioner to appraise the Court whether any further steps had been taken by the petitioner for payment or maintenance.

7. It appears from the above that despite protection having being granted to the petitioner by this Court by keeping in abeyance the NBWA issued against

him by the learned Trial Court, the petitioner has not taken any steps to pay any amount of maintenance to the sole respondent.

8. On perusal of the impugned orders also, I do not find any infirmity therein.

9. Consequently, the instant Criminal Revision Petition stands dismissed.

10. The learned Trial Court is directed to proceed as per law.

11. The petition accordingly stands disposed of.

12. The connected I.A. (Crl.) No. 856 of 2024 also stands closed and disposed of.

JUDGE

Comparing Assistant