

GAHC010273132024



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

Case : Crl.Rev.P./349/2024

TEK BHATTARAI
S/O LATE NETRA BAHADUR
BHATTARAI

R/O HOUSE NO. 57
BIBEK PATH
LATAKATA ROAD

BASISTHA CHARIALI
P.O. BSISTHA
P.S. BASISTHA
GUWAHATI-781028
KAMRUP (M)

VERSUS

THE STATE OF ASSAM AND ANR
THROUGH THE PUBLIC PROSECUTOR
ASSAM

2:SMT. BABITA BHATTARAI
W/O SRI TEK BHATTARAI
R/O HOUSE NO. 57
BIBEK PATH

LATAKATA ROAD
BASISTHA CHARIALI

P.O. BASISTHA
P.S. BASISTHA

GUWAHATI-781028
KAMRUP (M)

Advocate for : MS. S KANUNGOE
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

**BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS**

ORDER

06.08.2025

Heard Ms. S. Kanungoe, learned counsel for the petitioner. Also heard Ms. S. H. Bora, learned Additional Public Prosecutor appearing for State respondent No.1 and Ms. F. Hussain, learned counsel for the respondent No.2.

This is an application under Section 438 BNSS, 2023 read with Section 442 of the BNS, 2023 praying for quashing the impugned order dated 20.03.2024 passed in DV Case No. 84^M/2022 passed by the learned Judicial Magistrate First Class, Kamrup (M) and impugned judgment and order dated 14.08.2024 passed in Criminal Appeal No. 42/2024 by the learned Additional Sessions Judge (FTC) No.3, Kamrup(M).

The matter is **admitted** for hearing.

It is submitted by the learned counsel for the respondent that the learned court below modified the interim maintenance to Rs.6500/- and thereafter, this Court vide order dated 11.09.2024 by way of an interim protection, further modified it to Rs.4000/-. In this backdrop arrears of Rs.1,70,000/- have accumulated.

In the context of the submission of the learned counsel for the

aggrieved person, if some arrears have indeed accumulated, as contended by the learned counsel for the respondent, the petitioner's side shall endeavor to clear the same, expeditiously.

List the matter for hearing on 02.09.2025.

JUDGE

Comparing Assistant