

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.2495/2017

Shri Chatar Bist S/o Shri Kesar Singh, R/o Purvi Jhandichoud,
Haldukhata, Tehsil Kotdwar, Gadhwal, Uttarakhand, Presently R/o
House No.544, Devi Nagar, New Sanganer Road, Sodala, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan Through P.p.
2. Smt. Radha Devi Bist W/o Chatar Singh Bist, R/o D-9,
Path No.2, Jamuna Nagar, Near Ram Shiv Mandir, Ajmer
Road, Sodala, Jaipur.
3. Raju Bist S/o Shri Chatar Singh Bist, Through Natural
Guardian Radha Devi Bist, R/o D-9, Path No.2, Jamuna
Nagar, Near Ram Shiv Mandir, Ajmer Road, Sodala, Jaipur.
4. Puja Bist D/o Chatar Singh Bist, Through Natural
Guardian Radha Devi Bist, R/o D-9, Path No.2, Jamuna
Nagar, Near Ram Shiv Mandir, Ajmer Road, Sodala, Jaipur.

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Vivek Choudhary, PP

JUSTICE ANOOP KUMAR DHAND

Order

10/03/2026

1. By way of filing the instant criminal misc. petition, a challenge has been led to the impugned order dated 06.04.2017 passed by Family Court No.1, Jaipur in Criminal Misc. Case No.528/2015 directing the petitioner to pay interim maintenance of Rs.10,000/- to the respondents.
2. Aggrieved by the aforesaid order, the petitioner has approached this Court by way of filing the instant petition with the prayer that the respondent No.2 is earning Rs.13,000-14,000 per

month and her statement recorded before the Court below in this regard has been produced on the record of this Court.

3. In the considered opinion of this Court, the main matter under Section 125 Cr.P.C. is still pending before the Family Court for adjudication on its merits on the basis of evidence of both sides.

4. This Court deems it just and proper to dispose of the instant criminal misc. petition with a direction to the parties to submit affidavits/documents in support of their contentions with regard to their income, salary, assets and properties before the Family Court in terms of the judgment passed by the Hon'ble Apex Court in the case of **Rajnish Vs. Neha** reported in **2021(2) SCC 324**. It is expected from the Family Court to decide the pending matter after taking into account all the above documents/affidavits submitted by the rival sides and pass appropriate orders, strictly in accordance with law, expeditiously as early as possible.

5. With the above observations, the instant criminal misc. petition stands disposed of. Stay application as well as all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J