

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
CRIMINAL APPELLATE JURISDICTION.**

CRIMINAL APPLICATION NO. 6163 OF 2014.

HEMANT S/O CHUNILAL SALI.

VERSUS

MANISHA HEMANT SALI.

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Appearance =>

Mr. K.B. Jadhav, Advocate h/for Mr. S.B. Bhapkar, Advocate for the Applicant.

Mr. Naseer Shaikh, Advocate for the Respondent.

CORAM : V.M. DESHPANDE, J.

DATE : 17th FEBRUARY, 2015.

Per Court :-

Rule. Rule is made returnable forthwith. Taken up for final hearing, with consent of both the parties.

[2] Heard Mr. K.B. Jadhav, learned counsel for the Applicant and Mr. Naseer Shaikh, learned counsel for the Respondent.

[3] By filing present Criminal Application, the applicant is challenging the order dated 6th November, 2014 passed by the Judicial Magistrate, First Class, Bhusawal, Dist. Jalgaon in Cri.M.A.No.176 Of 2012 for issuance of distress warrant for recovery of Rs.18,000/- from him.

[4] No case is made out by the applicant to interfere with the said order. Hence, Criminal Application is dismissed. Order dated 6th November,

2014 passed by the Judicial Magistrate, First Class, Bhusawal, Dist. Jalgaon in Cri.M.A.No.176 Of 2012 is hereby confirmed.

[5] However, in view of the fact that, application under Section 127(3) of the Code of Criminal Procedure, filed by the present applicant – husband is pending before the competent court, said can be disposed of at early stage; if amount of Rs.18,000/- is deposited by the present applicant. If said amount of Rs.18,000/- is deposited within four weeks, from today, then only the learned Magistrate shall give precedent to the hearing of application under Section 127(3) of the Code of Criminal Procedure. With this direction, Criminal Application is disposed of. Rule discharged.

(V.M. DESHPANDE, J.)