

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

**CRIMINAL WRIT PETITION NO. 1930 OF 2014**

Shri Santosh Raigonda Koli

... Petitioner.

V/s.

Sou. Kalpita Santosh Koli & Ant.

... Respondents.

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Mr. Sameer A. Kumbhakoni, Advocate for the Petitioner.

Mrs. P.P. Bhosale, APP for the State.

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**CORAM : M.L.TAHALIYANI,J.**

**DATE : 02 FEBRUARY, 2015**

**P.C. :**

1            Heard learned counsel Mr. Sameer Kumbhakoni appearing for the Petitioner and the learned Additional Public Prosecutor -Mrs. Bhosale for the State.

2            Perused the impugned order. In my opinion, the learned appellate court instead of rejecting the application for stay of the order of the learned trial Magistrate, could have considered to reduce the amount of maintenance till the pendency of the appeal. Therefore, the order passed by the learned additional Sessions Judge is set aside. The learned Sessions Judge is directed to consider whether the maintenance

amount can be reduced from Rs.2000/- to Rs. 1500/- per month during the pendency of the appeal.

3           The Petitioner is at liberty to make such an application before the appellate court. The appellate court shall consider the application in the light of the observations made by this court.

4           The writ petition stands disposed of.

(JUDGE)

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