

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APL) No.783 of 2014
(Gokul Gopnarayan V Sau. Sangita Gopnarayan)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

[Shri S.V. Sirpurkar, Adv for applicant.
Shri A.B. Mirza, Adv for respondent.]

CORAM : A.B. CHAUDHARI, J.
DATED : 03.07.2015.

By this application, the applicant challenges the order dated 29-03-2012 passed by the learned Judicial Magistrate First Class, Murtizapur in Criminal Misc. Case No.216 of 2010, thereby granting amount of maintenance at the rate of Rs. 900/- per month till the decision of main application. The applicant is admittedly working in the Dairy Department.

Shri Fule, the learned Counsel submits that in fact the applicant was cheated by the respondent inasmuch as she was already married and her husband is alive. She mis-represented that her earlier husband has died and produced the death certificate of earlier

husband. The learned Counsel for the applicant fairly states that yet no proceedings before the competent Court have been lodged for cancellation of marriage. Be that as it may, since the proceedings under Section 125 of the Code of Criminal Procedure are pending, I make the following order :-

Order

A] Criminal Application (APL) No.783 of 2014 is dismissed.

B] The trial Court is directed to complete the proceedings of maintenance, within a period of six months from today, as the proceeding pertains to the year 2010.

JUDGE

Deshmukh