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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 133 OF 2016

Ashwini w/o Sachin Mhaske,
Age: 30 years, Occu: Job/Service,
R/o Dwarka-Badrinath Laxman Bharpure,
Samadhan Colony, Behind Adarsh Mahila Bank,
Aurangabad

..PETITIONER

VERSUS

1. Sachin Roopchand Mhaske,
Age: 32 years, Occu: Service,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
2. Roopchand Bansi Mhaske,
Age: Adult, Occu: Retired Officer,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
3. Ranjanabai Roopchand Mhaske,
Age: Adult, Occu: Retired Social Worker,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
4. Sheetal Mitesh Vithlani,
Age: 26 years, Occu: Service,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
5. Priyanka Roopchand Mhaske,
Age: 20 years, Occu: Student,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
6. Prabhakar Bansi Mhaske,
Age: 60 years, Occu: Business,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
7. Neeta Shivaji Nisargandh,
Age: 28 years, Occu: Private Service,
R/o Navyug Colony, Bhavsinghpura,
Aurangabad
(deleted as per Court's order
dated 08/07/2016)

..RESPONDENTS

(2)

Mr S. R. Vakil, Advocate for petitioner;
Mr R. D. Sanap, Advocate for respondent No. 4

CORAM : N.W. SAMBRE, J.

DATE : 30th August, 2016

ORAL ORDER :

The petitioner preferred Criminal Misc. Application No.75 of 2015 against respondent no.1 - husband, seeking various reliefs under the provisions of the Protection of Women from Domestic Violence Act, 2005 (for short "DV Act"). The petitioner claimed to have married with respondent no.1 on 21st April, 2007. In the said complaint, husband; father-in-law; mother-in-law; two sisters-in-law and other two relatives are arrayed as respondents. There are vague allegations against all respondents, but for respondent no.1.

2. In the above referred background, upon perusal of the complaint, learned Judicial Magistrate First Class issued notices to respondents no.1 to 3 and 5, i.e. husband, father-in-law, mother-in-law and one sister-in-law. The said order is questioned by the complainant on the ground that respondent no.4 – real sister of respondent no.1 Sachin be also ordered notice.

3. Perusal of the complaint depicts that there are vague allegations against the respondents, but for respondent no.1. Apart therefrom, learned Magistrate, while considering the claim for issuance of notice to the

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respondents to the complaint, has dwelt upon the provisions of the D.V. Act and has also considered the definition of “domestic relationship” and thereafter has passed the order restricting notice to respondents no.1 to 3 and 5.

4. In the light of the reasons cited by the learned Magistrate and in view of above observations, no interference is called for. Criminal Writ Petition fails and stands rejected.

(N.W. SAMBRE, J.)

amj