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

CRIMINAL WRIT PETITION NO.498 OF 2015

Dattatraya s/o Nanabhau Bankar ..PETITIONER

VERSUS

The State of Maharashtra & anr. ..RESPONDENTS

Ms Madahaveshwari D. Thube - Mhase, Advocate for petitioner;
Mr R.V. Dasalkar, Addl. Public Prosecutor for respondent no.1;
Mr Sandip R. Andhale, Advocate for respondent no.2

CORAM : N.W. SAMBRE, J.

DATE : 21st April, 2016

ORAL ORDER :

Heard.

2. Learned Judicial Magistrate First Class awarded maintenance of Rs.3,000/-, which was confirmed by the learned Sessions Judge in revision. Both these orders are subject-matter of challenge in the present proceedings.

3. Upon perusal of both the orders and pleadings of the parties and after taking into account submission of the petitioner, that the respondent – wife is earning for herself and there is additional liability on the petitioner to maintain his parents, in my opinion, no interference is called for for the following reasons :-

(2)

(a) that the petitioner is gainfully employed in the Maharashtra State Distribution company and is getting monthly salary;

(b) he also holds agricultural land;

(c) the petitioner has failed to establish the alleged source of income of the respondent – wife.

4. In view of above, no interference is warranted. Criminal Writ Petition stands dismissed.

(N.W. SAMBRE, J.)

amj