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

CRIMINAL REVISION APPLICATION NO.294 OF 2016

Sachin Tanaji Jadhav and Ors.	...Applicants
Versus	
Kirti Sachin Jadhav and Ors.	...Respondents

Mr.Ashok B. Tajane, for the Applicants.

Ms.P.P.Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
DATE : 13th JUNE, 2016

P.C. :

1. Heard learned counsel for the applicants.

2. By this application, the applicants have impugned the Judgment and Order dated 19th October, 2012, passed by the learned Judicial Magistrate First Class, Solapur, by which the learned Magistrate was pleased to award maintenance of Rs.2,000/- to the respondent no.1 (wife) and Rs.1,000/- each to respondent nos.2 and 3 (sons, aged 7 and 3 years). The said Judgment and Order was challenged by the applicants by filing an Appeal being Criminal Appeal No.94 of 2013 in the Sessions

Court, Solapur. The learned Sessions Judge was pleased to dismiss the appeal with costs and as such was pleased to confirm the order passed by the learned JMFC.

3. Learned Counsel for the applicants submitted that (i) both the Courts had erred in not considering the income of the applicant no.1 and (ii) that the respondents had failed to bring the income of the applicant no.1 on record.

4. Perused the impugned Judgment and Order dated 19th October, 2012 passed by the learned JMFC, awarding maintenance of Rs.2,000/- to the respondent no.1 (wife) and Rs.1,000/- each to respondent nos.2 and 3 (sons, aged 7 and 3 years) and the Judgment and Order dated 11th February, 2016, passed by the learned Additional Sessions Judge, Solapur. It appears from the record that the respondents had led evidence to show that there was land bearing Gat No.152, 22/3, 26/3 and 26/4 standing in the name of the parents of the applicant no.1 and in which the applicant no.1 had a share. It was also brought on record that the applicant no.1 owned 1 hector of land of Gat No.398. After considering the material on record, both the

Courts, had rightly come to the conclusion that the applicant no.1 had sufficient income and accordingly awarded maintenance as aforesaid. It also appears that no evidence was brought forth by the applicant no.1 to show that respondent no.1 had any source of income.

5. No infirmity is found in the impugned orders. Hence, the Application is dismissed and disposed of as such. However, the parties are at liberty to explore the possibility of a settlement.

REVATI MOHITE DERE, J.