

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL WRIT PETITION NO.89 OF 2015

(Pradip s/o Haribhau Bhokre ..vs.. Sau. Sarika w/o Pradip Bhokre and others)

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

Court's or Judge's orders

Shri M.P. Kariya, Advocate for the petitioner,
none for the respondents.

CORAM : Z.A. HAQ, J.

DATED : 21-04-2016

Shri M.P. Kariya, Advocate for the petitioner has filed pursis dated 21-04-2016 and alongwith it certified copy of H.M.P. No.211/2015 filed by the petitioner and the respondent under Section 13-B of the Hindu Marriage Act, 1955 before the trial Court is filed. It is stated that the dispute between the parties is amicably worked out. The petitioner-husband has filed this petition challenging the order passed by the Sessions Court dismissing the revision filed by him and maintaining the order passed by the learned Magistrate sentencing the petitioner to undergo simple imprisonment for a period of twelve months or until the payment of arrears of unpaid maintenance amount of Rs.1,42,700/-.

2. The learned Advocate for the petitioner has stated that the amount of Rs.1,50,000/- has been paid to the respondent as per the terms of settlement before the trial Court. Accepting the submission made on behalf of the

petitioner, the order passed by the learned Magistrate in Misc. Criminal Application No.50/2012 on 18-10-2012 and the order passed by the learned Additional Sessions Judge in Criminal Revision Application No.156/2012 on 14-01-2015 are set aside.

3. If it is found that the petitioner has not made the payment to the respondent-wife as per the order passed by the learned Magistrate in Misc. Criminal Application No.50/2012 on 18-10-2012, this order shall stand recalled.

4. The writ petition is disposed in the above terms.

JUDGE

pma