

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

CRIMINAL APPLICATION (APL) NO. 143 OF 2016

(Mr. Santosh Prakash Punde vs. State of Maharashtra (at the instance of Chandur Bazar PS,
District – Amravati & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.
OCTOBER 10, 2016.**

Heard Ms. A.P. Madhuri, learned counsel for the applicants, Shri J.Y. Ghurde, learned APP for non-applicant No. 1 and Shri K.B. Zinjarde, learned counsel for non-applicant Nos. 2 & 3.

After hearing the respective counsel for sometime, we find it not proper to appreciate rival contentions and to record any finding of fact at this stage.

In Misc. Criminal Application No. 18 of 2015 filed under Section 12 read with other provisions of the Domestic Violence Act, 2005, the husband – Santosh is non-applicant No. 1, his mother is non-applicant No. 2, his father is non-applicant No. 3 and his married and disabled sister is non-applicant No. 4.

We find that interest of justice can be met with by permitting non-applicant No. 3 – father of Santosh i.e. Prakash Vishnu Punde, to appear along with his counsel on behalf of non-applicants in the said proceedings and to prosecute it further as per law. Non-applicant No. 1 – Santosh is in employment at Dubai and non-applicant No. 4

– Mrs. Kalpana cannot move easily without assistance.

Shri Zinjarde, learned counsel appearing for the applicants in the said matter (present non-applicant No. 2) has fairly given no objection to this arrangement.

Similarly, at the instance of present non-applicant No. 3 – Vishal Pramod Tidke, a complaint under Section 324 of Indian Penal Code has been registered at Chandur Bazar Police Station against non-applicant No. 1 – Santosh i.e. present applicant No. 1.

As the applicant – Santosh is in employment at Dubai, we also permit him to appear through his counsel in his Criminal Case No. 59 of 2016 pending on the file of JMFC, Chandur Bazar. The learned JMFC is free to pass the orders requiring his personal attendance when it becomes absolutely necessary. Till that stage, the matter can be attended through is counsel.

Again in the peculiar circumstances, Shri Zinjarde, learned counsel has given no objection to this arrangement.

In view of this and keeping all rival contentions open for consideration, we dispose of the present criminal application.

JUDGE

JUDGE

*GS.

C E R T I F I C A T E

“I certify that this Order uploaded is a true and correct copy of original signed Order.”

Uploaded by : G. Shamdasani

Uploaded on : 10.10.2016.