

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.127 OF 2017
IN
CRIMINAL REVISION APPLICATION NO.479 OF 2016
WITH
CRIMINAL REVISION APPLICATION NO.479 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.A.T. Sangle a/w. Shobha Sangelkar,
Advocate for the applicants.
Mr.Tushar Sonawane, Advocate for orig.
petitioner.

CORAM : R. G. KETKAR, J.
DATE : 27/04/2017

P.C.:

1. Heard Mr.A.T. Sangle, learned Counsel for the applicants and Mr.Tushar Sonawane, learned Counsel for the respondent (original applicant in Criminal Revision Application No.479).

2. This is an application for permission to withdraw Rs.1 Lakh deposited by the opponent in this Court pursuant to the order dated 23.12.2016. Mr. Sonawane strongly opposes this application and submitted that no case is made out for granting relief.

3. It is not in dispute that the application made by the applicant (respondent in the Petition) under Section 125 of

Code of Criminal Procedure, 1973 was allowed by order dated 30.6.2016. By that order, the petition filed by the applicant herein was allowed and the opponent (orig. petitioner) is directed to pay amount of Rs.3,000/- per month to applicant No.1 and Rs.2,000/- (total Rs.5,000/- per month) towards the maintenance from the date of filing of the petition. While issuing notice, on 23.12.2016 this Court directed the opponent to deposit Rs.1 Lakh in this Court and granted ad-interim order in terms of prayer clause (c). As the opponent has deposited Rs.1 Lakh in this Court, in my opinion, interest of justice would be served by permitting the applicant herein to withdraw the amount unconditionally. Accordingly, Civil Application is allowed in terms of prayer clause (a) with no order as to costs. The applicant Shubhangi Vishwanath Borale is permitted to withdraw Rs.1 Lakh deposited in this Court along with accrued interest, if any, unconditionally.

4. List Criminal Revision Application for admission on 23.6.2017. Mr. Sonawane assures that he will serve copy of the proceedings on the other side well in advance. Till next date, ad-interim order, granted earlier, shall remain in force.

(R. G. KETKAR, J.)