

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1374 OF 2016**

Kiran Pandurang Salve and Anr. ...Petitioners
Versus
The State of Maharashtra ...Respondent

Mr.Vijaykumar R.Garad for the Petitioner.
Mr. Vinod Chate, APP for the State.

CORAM: A.M. BADAR J.
DATED: 26th September, 2017

PC:-

1. By this petition, the Petitioners, who are husband and mother-in-law of the aggrieved person are challenging the proceedings initiated against them under Section 12 of the Protection of Women from Domestic Violence Act, 2005 on the basis of the report lodged by the Protection Officer.

2. Heard the learned Advocate appearing for the petitioners. He submitted that Respondent No.2/wife had deserted the petitioner No.1 and thereafter she filed the instant proceedings. In submission of the learned advocate

appearing for the petitioners, petitioner No.2 was residing separately from the couple and therefore, proceedings are not maintainable. With this, the petitioners are praying for quashing the proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

3. I have perused the application in form No.2 submitted by the Respondent No.2 before the learned Judicial Magistrate First Class, so also the report in form No.3 submitted by the Protection Officer, alongwith report in form No.4. Perusal of these documents goes to show that Respondent No.2 suffered domestic violence at the hands of petitioners. She had resided with them in shared household. As such, no case for quashing the proceedings under Section 12 of Protection of Women from Domestic Violence Act, 2005

4. The petition is therefore dismissed.

(A.M. BADAR, J)