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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 178 OF 2018
IN
CRIMINAL REVISION APPLICATION 387 OF 2017**

Rachana Kaviraj Muslonkar

.....Applicant

V/s.

The State of Maharashtra and another

.....Respondents

Ms. Archana Deshpande for the applicant.

Mr. H. V. Kenjalkar for the respondent no. 2.

Mrs. S. S. Kaushik APP for the State.

CORAM : NITIN W. SAMBRE, J.

DATE : APRIL 25, 2018.

P.C.

This is an application by mother-applicant for withdrawal of the amount deposited in this Court. The learned counsel for the applicant opposed the claim for withdrawal as according to him, already, non applicant father has paid excess amount of maintenance. He submits that this amount of Rs. 2,90,000/- of which withdrawal is sought be adjusted in future liability.

2 The learned counsel for the original revision-petitioner i.e. respondent herein would canvass that during pendency of the revision

no. 387 of 2017 and prior to that amount to the tune of Rs. 1,20,000/- to the petitioner which needs to be adjusted.

3 I am afraid, such contention cannot be gone into and examined at this stage, as the contentions sought to be canvassed before this Court when the Civil Revision Application is finally disposed on 25/01/2018 are not raised.

4 In view of above, objection raised by the respondent father is overruled. Applicant is permitted to withdraw the amount of Rs. 2,90,000/-. Application stands disposed of.

5 Since the prayer for withdrawal of the amount is granted by this Court which was deposited towards arrears at an interim stage, said withdrawal to be considered by the learned Court dealing with the complaint under the Domestic Violence Act while adjusting the payments when final order will be passed in the matter.

[NITIN W. SAMBRE, J.]