

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.2873 OF 2018

Shri Vikas Dattatrya Rajguru & Ors.

... Petitioners

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr.S.K. Ingale for the Petitioners

Ms.Veera Shinde, APP, for the Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 8, 2019

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This petition is directed against the order dated 24.5.2018 passed by the learned JMFC, Vashi in Criminal Misc. Application No.86 of 2016 below exhibit 9 therein. The respondent/wife and the daughter have moved the application for maintainance under the Protection of Women from Domestic Violence Act. In the said application, the husband and the other respondents therein had moved an application challenging domestic relationship between the parties. However, the learned Judge has considered the

averments made in the complaint and the legal position and held that the domestic relationship exists between the parties and hence, rejected the said application.

3. Heard.

4. On perusal of the order and the complaint and considering the defence of the domestic relationship mentioned under section 2(f) of the Protection of Women from Domestic Violence Act, I am of the view that there is no merit in this petition. Hence, the petition is dismissed summarily.

(MRIDULA BHATKAR, J.)