

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5215 OF 2019

ANUSHA VIVEK RAMACHANDRAN)...PETITIONER

V/s.

THE STATE OF MAHARASHTRA AND ANR.)...RESPONDENTS

Mr.S.Selva Kumari, Advocate for the Petitioner.

Mr.A.R.Patil, APP for the Respondent/State.

Mr.K.R.Tiwari a/w. Mr.Mishra i/b. Tiwari & Co., Advocate for the Respondent No.2.

CORAM : A. M. BADAR, J.

DATE : 16th DECEMBER 2019

P.C. :

1 Heard the learned counsel appearing for the petitioner who happens to be respondent in an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as D.V.Act for the sake of brevity), in which reliefs under Sections 17, 18, 19, 20, 22 and 23 of the said Act are claimed by the respondent no.2 – mother-in-law.

2 The learned counsel for the petitioner argued that there is no evidence in support of the claim made in the application. The proceedings under Section 12 of the D.V.Act are initiated just to harass the daughter-in-law, and therefore, the proceedings need to be quashed and set aside.

3 The application under Section 12 of the D.V.Act filed by the respondent no.2 is running into 35 paragraphs wherein detail pleadings are made with the following prayers :

“(a) This Hon’ble Court be pleased to appoint a protection officer for the safety of the Applicant;

(b) This Hon’ble Court be pleased to pass a protection order in favor of the aggrieved person and prohibit the respondent from committing any act of domestic violence on the applicant;

(c) This Hon’ble Court be pleased to pass an order restraining the Respondent or any of her relatives from entering any portion of the shared household in which the aggrieved person/Applicant resides;

(d) This Hon'ble Court be pleased to injunct the Respondent from entering Applicant's premises i.e. the address mentioned in the cause title of the aforesaid application for the safety of the Applicant;

(e) This Hon'ble Court be pleased to direct the Respondent No.1 to pay Rs. Fifty Lakhs as compensation and towards treatment for the damages for the financial, mental and physical torture caused by the acts of domestic violence on the Applicant;

(f) For interim and ad-interim reliefs;

(g) This Hon'ble Court be pleased to award costs for litigation;

(h) For any other and further relief this Hon'ble Court deems fit and proper in the interest of justice and equity."

4 The learned Metropolitan Magistrate, on perusal of the application under Section 12 of the D.V. Act filed by the respondent no.2, was pleased to issue notice to the respondents. The said order cannot be said to be illegal or perverse. The petition is devoid of merits and therefore the order :

ORDER

The petition is dismissed.

(A. M. BADAR, J.)