

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL) 221 OF 2019

(Mohan s/o. Dashrath Pardhi..vs.. Nilima w/o. Mohan Pardhi)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri P.A. Nemade, counsel for applicant.
Shri S.U. Sirpurkar, counsel for respondent.

CORAM: ROHIT B. DEO, J.

DATE: 21th JUNE, 2019.

With consent of the parties, heard finally.

2 This Court indicated to the learned counsel for the petitioner that ultimately it would be for the learned Magistrate to look into the evidence and record a finding of fact on the rival contentions.

3 This Court was required to do so, since the petitioner is inviting the Court to exercise inherent power to quash section 12 proceedings under the Domestic Violence Act.

4 The written statement is filed in which serious allegations are levelled against the respondent herein – wife. Equally serious allegations are levelled by the wife in the petition.

5 The learned counsel fairly states that liberty to withdraw this application under section 482 of Criminal Procedure Code may be granted and every contention raised may be kept open. The application is disposed of as withdrawn.

6 Every contention raised in the application and the contention of the wife in rebuttal is left expressly open for adjudication by the learned Magistrate at the appropriate stage.

7 The petition is disposed of in the aforestated terms.

JUDGE