

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

CRIMINAL REVISION APPLICATION NO. 92 OF 2019

Krishna Manoharlal Oza & ors. ..Applicants.

v/s.

The State of Maharashtra & anr. ..Respondents.

Mr. Ameya Tamhane, advocate for applicants.

Mr. Ghanasham S. Jadhav, advocate for respondent No. 2.

Mr. P.H. Gaikwad, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : FEBRUARY 27, 2020.

P. C. :

1 Learned Counsel for the applicant submits that there is suppression of the facts on the part of the respondent in as much as she has not stated in her affidavit on 30/1/2018 that she was working in RSB Industries Ltd. in the month of November and December, 2017. Before that she was working with Primus Global Technologies Pvt. Ltd.. On 19/12/2017 her bank balance was about Rs. 44329/-.

2 As against this, the learned Counsel for the respondent submits that in fact, salary of the applicant is to the tune of Rs. 1,43,750/-. His subscription towards voluntary PF is Rs. 47125/-

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and his PF deduction is Rs. 8700/-. The amount of maintenance is Rs. 20,000/- which is hardly 1/4th of the total amount of his salary. In view of this, it would not be necessary to stay the order.

3 The learned Judicial Magistrate First Class, Pune shall consider the conduct of the respondent at the time of final hearing of the petition, more particularly, suppression of facts in the affidavit dated 30/1/2018.

4 With these observations, it would not be necessary to interfere with the orders passed by the learned Judicial Magistrate First Class, Pune. Hence, the Revision Application stands dismissed and disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]