

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO.567 OF 2021

POONAM W/O YOGESH DESALE
AND ANR

..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS

..RESPONDENTS

...

Advocate for Petitioners : Mr. N.E. Deshmukh
APP for Respondents: Mr. S. P. Sonpawale

...

**CORAM : N.R. BORKAR, J.
DATE : 13.10.2021**

PER COURT :-

This petition takes an exception to the order dated 19.01.2021 passed by the learned Sessions Judge in Criminal Miscellaneous Application No. 97 of 2019.

2. The petitioner has filed an application under the provisions of the Protection of Women From Domestic Violence Act, 2005 for various reliefs. The learned Judicial Magistrate, First Class, Parola before whom the said proceedings are pending, rejected the interim maintenance application filed by the petitioner. The petitioner after rejection of her interim maintenance application filed

Criminal Misc. Application No. 97 of 2019 under Section 408 of the Code of Criminal Procedure before the learned Sessions Judge, Jalgaon for transfer of the proceedings filed by her to any other Court on the ground that she lost faith in the court concerned due to rejection of her interim maintenance application. The learned Sessions Judge, Jalgaon rejected the said application by the order impugned.

3. I have heard the learned counsel for the petitioner and learned APP for the State.

4. It appears that the petitioner has already filed appeal against the order of learned Magistrate refusing to grant her interim maintenance. The apprehension of the petitioner that she would not get justice from the Court concerned, just because of rejection of her interim maintenance application can not be said to be valid apprehension. No interference is thus called for in the order impugned. In the result, Petition is dismissed.

(N. R. BORKAR)
JUDGE