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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CRIMINAL WRIT PETITION NO. 937 OF 2021

VAIBHAV SUKRAM CHAUDHARI
VS
JYOTI VAIBHAV CHAUDHARI

Mr. Vaibhav Sukram Choudhari party-in-person
Mr. Shaikh Nasir, Advocate for the respondent

CORAM : N. R. BORKAR, J.

DATE : 07-12-2021

P. C.

. The respondent herein had filed an application under the provisions of Protection of Women From Domestic Violence Act for various reliefs. By the present petition a prayer is made to quash the said proceedings. A further prayer is made to quash and set aside interim maintenance order passed by the learned Magistrate in favour of the respondent, granting maintenance at the rate of Rs. 4000/-.

2. The petitioner submits that the application filed by the respondent is not maintainable, as the respondent cannot be said to be aggrieved person as

she was never subjected to any domestic violence. He submits that the respondent was not willing to stay in joint family and therefore, she deserted him.

3. I have perused the application filed by the respondent under Section 12 of the Act. The respondent has narrated in detail as to how she was ill-treated during her cohabitation with the petitioner. Therefore, no case is made out to quash the proceedings.

4. As regards interim maintenance it appears that the order of the learned Magistrate was question in appeal and after dismissal of appeal before this court in revision. It appears this court had dismissed the revision by order dated 01-03-2021. Inspite of it prayer is made in this petition to quash the interim maintenance order, I am refraining from imposing the cost as the petitioner is appearing in person. The petition is dismissed.

[N. R. BORKAR, J.]