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

**CRIMINAL WRIT PETITION NO. 3740 OF 2021**

**RAHUL VITTHAL KEDARE AND ANR                      ....PETITIONERS**

**V/s.**

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

**Mrs. Hema M. Whaval advocate for the Petitioners  
Ms. Sharmila S. Kaushik APP for the State**

**CORAM :    NITIN W. SAMBRE, J.**

**DATE:        25<sup>th</sup> OCTOBER, 2021.**

**P.C.:**

1]     With effect from order dated January 20, 2018, Petitioner, a professor by profession was directed to pay Rs. 15,000/- per month towards amount of maintenance. Since the said order was passed below Exhibit 5 by the Judicial Magistrate First Class, Pune was not honoured, vide impugned order, distress warrants are issued.

2]     Learned counsel for the petitioner submits that already certain amounts are paid towards maintenance which the Court below has

failed to look into.

3] The fact remains that petitioner from the record is unable to demonstrate as to the satisfaction of the amount of maintenance as was ordered. As a consequence, impugned order of issuance of distress warrant came to be passed.

4] I see no reason which warrants interference in the order impugned.

5] However, if so raised by the petitioner in future, a ground in relation to already paid amount, towards satisfaction of the order of payment of interim maintenance, same be considered in the matter of adjusting of amount of payment of maintenance.

6] With above observations, Petition stands dismissed.

**[NITIN W. SAMBRE, J.]**