

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

CRIMINAL WRIT PETITION NO. 149 OF 2021

Jagdish Ramdas Sonwane

..PETITIONER

VERSUS

State of Maharashtra and Another

..RESPONDENTS

**WITH APPLN/1798/2021 IN WP/149/2021
WITH APPLN/730/2022 IN WP/149/2021**

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Mr. A.D. Sonkawade, Advocate h/f Mr. A.V. Hon, Advocate for petitioner
Mrs. G.L. Deshpande, A.P.P. for respondent no.1 – State
Mr. R.O. Awasarmol, Advocate for respondent no.2

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**CORAM : R.G. AVACHAT, J.
DATED : 14th MARCH, 2022**

PER COURT :

1. Heard. The challenge herein is to the order granting maintenance to the respondent herein.

2. The petitioner – husband has deposited a sum of Rs.1,75,000/- with this Court towards arrears thereof. This Court, vide order dated 01st October, 2021 permitted Respondent No.2 – wife to withdraw Rs.75,000/- there from. As such, a sum of Rs.1,00,000/- with interest accrued thereon is still in deposit with this Court.

3. Post filing of this writ petition, the dispute between the couple has been settled. A decree of divorce with consent of the parties has been passed. A copy of the decree dissolving the marriage has been placed on record. Same is marked as 'X' for identification. As per Clause 4 thereof, the petitioner – husband had agreed to pay Respondent No.2 – wife a sum of Rs.15,00,000/- towards lump sum maintenance. In the terms of compromise there is no whisper about the amount deposited in this Court. As such, the parties would be bound by the terms of compromise, whereby the marriage has been dissolved with the decree of divorce.

4. As such, the amount in deposit has become payable to the petitioner. However, the respondent is permitted to withdraw half of the amount in deposit with this Court with interest accrued thereon. The remaining balance amount alongwith interest be paid back to the petitioner herein.

5. Criminal writ petition stands disposed of in view of terms of compromise. Pending criminal applications stand disposed of accordingly.

(R.G. AVACHAT, J.)

SSD