

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
12 CRIMINAL APPLICATION NO.1412 OF 2019

UTTAMRAO RAMRAO DAUD PATIL AND OTHERS
VERSUS
SUREKHA W/O. JAYANT PATIL

Mr. Atmaram J. Patil, Advocate for the applicants
Mr. Umesh Bodkhe Patil, Advocate for the applicants

CORAM : ANIL L. PANSARE, J.

DATE : 25th July, 2022

P. C.

1. Heard.

2. By the present application under Section 482 of the Code of Criminal Procedure the applicants are seeking to quash PWDVA Application No.114 of 2019 pending before the learned Judicial Magistrate First Class, Aurangabad.

3. During the course of argument the learned Advocate for the applicants would admit that the

application before the trial court has been filed under Sections 12,17,18,19,20 and 22 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as 'the D.V. Act'). The application spells out the ingredients of aforesaid sections.

4. However, the case of the applicants herein is that from day one of the marriage, the applicants are residing at Jamner and the respondent-wife is residing at Aurangabad.

5. The sole ground as putforth by the learned Advocate for the applicants cannot lead to quashing of complaint in the light of the pleading made in the application spelling out necessary ingredients of the provision under the D. V. Act coupled with the law laid by the Hon'ble Supreme Court in the Case of M/s. Neeharika Infrastructure Pvt. Ltd. Vs

(3)

criapln1412.19

State and others reported in (2020) 10 SCC 118. The application, therefore, is rejected.

[ANIL L. PANSARE, J.]

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