

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 504/2022.

Mithun Ghanshyam Kherde.

-VERSUS-

Smt. Shrawani Mithun Kherde and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Petitioner / In-person.

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CORAM : VINAY JOSHI, J.

DATE : AUGUST 01, 2022.

Heard Petitioner/In-person.

2. The petitioner has challenged the order dated 31.05.2022 passed by the Family Court in Criminal M.A.No.22/2021, whereby the Family Court has condoned the delay and accepted the say of other side in the proceedings filed by the petitioner in terms of Section 127 of the Code of Criminal Procedure.

3. It is the grievance of petitioner that the respondent Wife has from time to time delayed the

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matter for one or the other reason. According to him, there is no justifiable reason to condone the delay and accept the reply of other side.

4. Since the reply is already filed on record, I do not find any propriety to interfere with the order passed by the trial Court, since it is a cardinal principle that the matter should be decided on merits, rather than throwing out on mere technicalities. Having regard to above facts, no case is made out for interference, Criminal Writ Petition is therefore, dismissed.

JUDGE