

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

CONTEMPT PETITION NO.204 OF 2022

Shri Yogesh Mukund Khawaskar -Vs.- Mrs Jyoti @ Madhavi Yogesh
Khawaskar

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

Court's or Judge's Orders.

Mr U. R. Phasate, Advocate for the petitioner

CORAM : SUNIL B. SHUKRE AND
G. A. SANAP, JJ.
DATED : 20.09.2022

In a case like this, wherein decree has been passed, the best course of action for the petitioner to take steps for execution of the decree and not invoke contempt jurisdiction of this Court for the alleged breach of any condition of the decree.

2] The grievance of the petitioner is that his ex-wife is not taking steps for withdrawal of the criminal case filed by her. The criminal case primarily relates to offence of cruelty punishable under Section 498-A of the Indian Penal Code, which is a non compoundable offence. Therefore, merely because complainant or informant submits that she would like to withdraw her allegation it would not automatically lead to closure of the criminal case. The law in this regard is well settled and it is necessary that the petitioner studies the law and initiates action consistent with the settled principles of law. One of the actions would be of taking steps for

seeking quashing of the FIR and the criminal offence. The petition is thus not maintainable here and it is summarily dismissed with liberty to the petitioner to take recourse to such remedy as available in law to him.

The contempt petition stands disposed of accordingly.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Namrata