

sg

1/3

9.wp1428-18.doc

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

CRIMINAL WRIT PETITION NO. 1428 OF 2018

Manish Vinod Kumar .. Petitioner
v/s.
Mrs. Bhavani Manish Kumar And Anr. .. Respondents

**WITH
CRIMINAL WRIT PETITION NO. 4189 OF 2019**

Vinod D. Kumar .. Petitioner
v/s.
Bhavani Manish Kumar And Anr. .. Respondents

**WITH
CRIMINAL WRIT PETITION NO. 5843 OF 2019**

Manish Vinod Kumar And Ors. .. Petitioners
v/s.
The State of Maharashtra And Anr. .. Respondents

....

Mr. B. Harikrishnan, a/w. G.H. Keluskar, for the Petitioners.

Mr. Kishor S. Patil, for the Respondent.

Mr. A.R. Patil, APP, for State.

....

CORAM: R.G. AVACHAT, J.

DATE : 27 FEBRUARY 2023.

P.C:-

Writ Petition No. 1428 of 2018 and Writ Petition No.4189 of 2019

Both these petitions have been preferred by husband and in-laws of the Respondent-wife for quashment of an application preferred under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (“the Act”). The reliefs, which are claimed under Section 12 of the Act, are all of civil in nature. This Court is, therefore, not inclined to quash the application under Section 12.

2. It is informed that the in-laws of the Respondent-wife are very old. They would be granted permanent exemption from appearing before the trial court, provided they would appear through their Advocate and defend the application.

3. In view of this observation, both these petitions stand disposed of.

4. The trial court is directed to decide the application/proceedings under Section 12 of the Act within a time-frame of six months from the date of receipt of copy of this order. All the in-laws of the Petitioner in Writ Petition No.4189 of 2019 are permanently exempted from appearing before the trial court, provided they would appear through their Advocate and co-operate for disposal

of the proceedings within the time-frame. Learned Advocate for the Petitioner-husband makes a statement that all the arrears, i.e. of Rs.60,000/-, would be paid to the Respondent-wife in a week's time. He also makes a statement that the husband would continue to pay interim maintenance as has been directed by the trial court.

Writ Petition No.5843 of 2019

Police report submitted under Section 173 of Code of Criminal Procedure is sought to be quashed in this writ petition.

2. The matter may lie before the Division Bench. Remove from board. Interim order, if any, to continue for next four weeks only.

(R.G. AVACHAT, J.)