

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

CRIMINAL WRIT PETITION NO.1019 OF 2023

Subhas M. Sharma ... Petitioner
V/s.
State of Maharashtra and Anr ... Respondents

**WITH
INTERIM APPLICATION NO.1863 OF 2023
IN
CRIMINAL WRIT PETITION NO.1019 OF 2023**

Nirmala (Niru) Subhas Sharma ... Applicant
V/s.
State of Maharashtra and Anr ... Respondents

Mr. Amit Dubey i/b Mr. Ashok Sarogi, Advocate for the Petitioner.
Ms. Krupali Rajani, Advocate for Respondent No.2 & for Applicant
in IA/1863/2023.
Mrs. M. R. Tidke – APP for the Respondent-State.

CORAM : RAJESH S. PATIL, J.

DATED : 21 DECEMBER 2023

PC.:

INTERIM APPLICATION NO.1863 OF 2023

1. This Interim Application is filed by husband challenging an order of interim maintenance passed under the D.V. proceedings.
2. By an order dated 21 March 2023 this Court directed the petitioner to deposit part of the arrears of interim maintenance,

i.e. Rs. 8,00,000/-.

3. Both the counsel submit that the Applicant had already complied to the said direction and deposited a sum of Rs.8,00,000/- before this Court.

4. The Respondent No.2 (wife) has now preferred an Interim Application no.1863 of 2023 for seeking permission to withdraw the amount of Rs.8,00,000/- deposited by the Applicant in this Court.

5. Heard. I have gone through the interim application taking into considering the facts as mentioned in the interim application. I am satisfied that the case is made out to allow this interim application.

6. Interim Application is allowed in terms of prayer clause (a). Applicant (Nirmala Subhas Sharma) is allowed to withdraw a sum of Rs.8,00,000/- along with accrued interest from this Court.

7. Interim Application stands disposed of.

8. All the parties to act on an authenticated copy of this order.

CRIMINAL WRIT PETITION NO.1019 OF 2023

1. Stand over to 8 January, 2024. Ad-interim relief, if any, to continue till then.

(RAJESH S. PATIL, J.)