

GRM

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

CRIMINAL REVISION APPLICATION NO. 483 OF 2022

Rahul Laxman Bhosale ... Applicant

V/s.

Amruta Rahul Bhosale & Ors. ... Respondents

Mr. Rakesh S. Patil, Adv. for the Applicant.

Mr. M. G. Patil, APP for the State/Respondent.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 23, 2023

P.C. :

Heard.

2. The Court of Judicial Magistrate First Class has directed the applicant to pay the respondent/wife a sum of Rs. 35,000/- towards a provision for her residence. The applicant has been unsuccessful in appeal. He is therefore before this Court in the revision against impugned order.

3. Both the Courts below have, on appreciation of material on record, *prima-facie* come to the conclusion that the applicant is financially well-off to pay a sum of Rs. 35,000/-. The applicant's Income Tax Return for the relevant year is taken into consideration to make a capital of the fact that he owns a flat at Bhandarkar Road in Pune.

4. In view of the same, the Court is not inclined to issue notice in this matter. Learned Judicial Magistrate First Class, Pune is

however directed to decide the main application on its own merits within a period of eight months from the date of receipt of a copy of this order, provided the applicant would clear all the arrears of amount directed to be paid under the impugned order.

5. The Trial Court shall not be influenced by the observations made hereinabove.

6. The revision application stands disposed of accordingly.

(R. G. AVACHAT, J.)