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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

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CRIMINAL REVISION APPLICATION NO.461 OF 2022

Rekha D. Jadhav

...Applicant

V/s.

Dinesh A. Jadhav & Anr.

...Respondents

Mr.Satish S. Mande for the Applicant.

Mr.M.H. Sayed for Respondent No.1

Mrs.M.R. Tidke, APP for the State - Respondent No.2.

CORAM : RAJESH S. PATIL, J.

DATE : 15TH DECEMBER, 2023.

P.C. :-

1. After the matter was argued for some time, both the counsel submit that the original proceedings before 27th M.M. Court at Mulund, Mumbai has proceeded further and the matter is posted for final argument. In the meantime, the Applicant (wife) is continuing to reside in Room No.2. As per the submission made by the advocate for the Applicant, the Applicant, (wife) is residing in Room No.2, Jadhav Chawl Behind BMC School, Kalina, Mumbai. However, advocate appearing for the Respondent (husband) disputes this position and submits that she in fact is not staying in the said premises and she is staying somewhere at Mulund, Mumbai at her

parental house.

2. Advocate for the Applicant further submits that Annexure-II of the subject premises was produced before 27th M.M. Court at Mulund, Mumbai. The said Annexure-II of the subject premises shows the name of the Respondent (husband). The said Annexure-II is also annexed to this Criminal Revision Application at page 43 and the said Annexure-II is not considered by the Sessions Court while passing the impugned order.

3. Since the original proceedings before 27th M.M. Court at Mulund, Mumbai are now kept for argument, the parties are directed to commence the argument before 27th M.M. Court at Mulund, Mumbai without taking any unnecessary adjournment. The 27th M.M. Court at Mulund, Mumbai after hearing the parties, should decide the matter on its own merits, within a period of six months from today.

4. In the meantime, the the execution of the impugned order dated 19 September 2022 passed by the Sessions Court, Mumbai in Criminal Appeal No.532 of 2018 is stayed till the disposal of the main Petition.

5. The Criminal Revision Application is accordingly disposed of.

(RAJESH S. PATIL, J.)