



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 135 OF 2023

BABASAHEB VITTHALRAO SARUK

VERSUS

MANJULABAI W/O. BABASAHEB SARUK AND ANOTHER

Advocate for the Petitioner : Ms. Akshara Sharad Madake

Advocate for Respondent No.1 : Mr. Nagargoje Ankush Nivrutti

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 8th JANUARY, 2024.

PER COURT :-

1. This Writ Petition is directed against the judgment passed by the learned Additional Sessions Judge, Beed in Criminal Revision No.93 of 2019 dated 07.07.2022 arising out of Criminal M.A. No.701/2011.

2. The husband preferred this Writ Petition with main contention that the respondent no.1 is not his wife. The trial Court as well as the Additional Sessions Court observed that when the application was moved by respondent no.1 for DNA test of her daughter, husband-petitioner refused for the same. This itself is sufficient to infer that respondent no.1 is legally wedded wife of this petitioner. So far as marriage with another woman as contended by this petitioner is concerned, there is absolutely no evidence that she married prior to the marriage of this respondent no.1.

3. Considering the reasons and findings given by both the Courts, there is no illegality and perversity in the judgments of both the Courts. There is no scope for interference to this Court, therefore, the petition deserves to be dismissed. It is dismissed accordingly. No costs.

(SANJAY A. DESHMUKH, J.)

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