



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

930 CRIMINAL WRIT PETITION NO. 433 OF 2024

YOGESH @ BOJRAJ DEVENDRA SHARMA

VERSUS

HARSHALA YOGESH SHARMA AND ANOTHER

...

Mr. More Abhijit S., Advocate for the Petitioner

Mr. Suraj V. Gundre, Advocate for Respondents

CORAM : Y. G. KHOBRADE, J.

Dated : 28th November, 2024

PER COURT :-

1. Heard both sides at length.
2. By the present Petition under Articles 226 and 227 of the Constitution of India read with Section 482 of the Criminal Procedure Code, the Petitioner husband challenged the order dated 03.01.2024 passed by the learned Family Court, Latur below Exh.6 in Petition No.E-10/2021 whereby the learned Family Court granted maintenance at Rs.6000/- per month in favour of the respondent No.2 minor son, however refused to grant maintenance in favour of present respondent No.1 wife, on ground that she is working as Law Officer with the Police Training Institute, Latur and earning Rs.80,000/-to 90,000/- per month.
3. Needless to say that as per provisions of Section 125 of

the Criminal Procedure Code, if the wife is unable to maintain herself, in that event, she would be entitled for the maintenance. However, in the case in hand, the present respondent wife is serving with the Police Training Centre and drawing handsome monthly salary. Therefore, the learned Family Court rightly declined to grant maintenance in favour of Respondent No.1, however, considering the educational expenses of respondent No.2, granted maintenance at Rs.6,000/- in favour of respondent No.2.

4. In view of the above, I do not find that the impugned order is perverse or illegal and no substantial ground set out to interfere with the findings recorded by the learned family Court. Hence, the present Petition is dismissed.

(Y. G. KHOBRADE, J.)