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

CRIMINAL APPLICATION NO.1542 OF 2023

IBRAHIM VAZIR KHAN	..APPLICANT
VS.	
RUKHSANA IBRAHIM KHAN	..RESPONDENT

Adv. Ibrahim Vazir Khan, applicant in person.

Mr. A. R. Patil, APP for the State.

Adv. M. P. Mishra for respondent.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 15, 2024

P.C. :

1. Heard the party appearing in person.
2. The relief claimed in this application is for quashing of the proceedings filed by the respondent-wife before the 44th Metropolitan Magistrate's Court at Andheri, Mumbai being Domestic Violence Application No.152 of 2022. The quashing is sought on the ground that several properties which were purchased by the applicant in the name of his wife from his own funds are sought to be claimed by the respondent-wife as of her ownership. It is further the

contention of the applicant that the rent which is derived from such properties is being unjustly appropriated by the respondent-wife to the detriment of the applicant's interest.

3. I find that the proceedings under the Domestic Violence Act is filed by the wife along with the application for interim reliefs. No order has been passed on the application for grant of interim reliefs. It is the contention of the applicant that the respondent-wife is purposely delaying the hearing of the application on one or the other pretext thus causing prejudice to the applicant. The applicant contends that the Domestic Violence proceedings are instituted only to deprive the applicant's claim of the ownership rights of his properties and his claim to the rent derived from such properties.

4. Having regard to the relief claimed in this application, it is not possible for me to entertain this Criminal Application on the grounds argued. It is open for the applicant to raise all the contentions raised in this Criminal Application before the trial Court or before any other appropriate forum.

5. Keeping all contentions open, the Criminal Application is rejected.

(M. S. KARNIK, J.)