

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

CRIMINAL WRIT PETITION NO.388 OF 2024

Ujawala Hemant Rasal & Ors. ... Petitioners

V/s.

Hemant Jayram Rasal & Ors. ... Respondents

Mr. Bhavik P. Manek, Advocate through Legal Aid for the Petitioners.

Mrs. S. G. Talhar, APP for the Respondent-State.

CORAM : ARIF S. DOCTOR, J.

DATE : 12TH NOVEMBER 2024

P.C. :

1. The Petition impugns an order of the Sessions Court dated 16th December 2022 by which the Distress Warrant issued against Respondent No.1 has been set aside.

2. Learned Counsel appearing on behalf of the Petitioners has invited my attention to the observations made in the impugned order and points out that the same are in fact contrary to the case pleaded by Respondent No.1 which is that there was a private arrangement with the father in law of Respondent No.1 and the Petitioner. Hence, the question of payment of any maintenance in terms of the order passed would not survive.

3. Having heard Learned Counsel for the Petitioner, I find that the *prima facie* case has been made out.

4. Stand over to 26th November 2024.

(ARIF S. DOCTOR, J.)