

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

WRIT PETITION NO.1288 OF 2023

Pratik Abhay Bartake

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

WITH

CONTEMPT PETITION NO.587 OF 2024

Mr. Satyavrat Joshi a/w Shivani Kondekar for Petitioner.

Mr. A. R. Metkari, APP for Respondent No.1-State.

Mr. Prathamesh Mandlik for Respondent No.2 in WP & for Petitioner in CP.

CORAM : ARIF S. DOCTOR, J.

DATE : 10th DECEMBER 2024

P.C. :

1. Learned Counsel appearing on behalf of the Respondents in the Contempt Petition seeks time to file an affidavit in reply. Let the same be filed on or before the next date.

2. Learned Counsel for the Petitioner states that the Respondent be directed to make some payment in the interregnum. Learned Counsel for the Respondent submits that *per se* the order passed in Criminal M.A. No.880 of 2020 in which an order for maintenance was passed under the provisions of

The Protection of Women From Domestic Violence Act, 2005 have themselves been dismissed and therefore there is no subsisting order for the maintenance. She secondly submits that the Respondent is today unemployed and, therefore, not in a position to make any interim payment. However, the Respondent is willing to resolve the matter amicably.

3. Stand over to 7th January 2025.

(ARIF S. DOCTOR, J.)