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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3221 OF 2024

Sandeep Shivanand Rane

.....Petitioner

Vs.

Akshata Sandeep Rane and anr

.....Respondents

Mr. Akhilesh Singh i/b Ms. Neetu Singh for the petitioner
Ms. S. G. Talhar APP for the State

CORAM : GAURI GODSE, J.

DATE : 31st JULY 2024

ORDER:

1. This petition challenges the order of issuing arrest warrant for non payment of maintenance amount.
2. Learned counsel for the petitioner submits that parties are residing together and hence, there would be no question of payment of any maintenance. To support his submissions, he relies upon cause title which shows the address of the parties to be the same.
3. Learned counsel for the petitioner, however, is not in a position to point out as to whether it is the case of the petitioner that they reside

together, and that he is taking care of all the household expenses. Order of interim maintenance is towards wife and two minor children. Admittedly order granting maintenance is challenged in an appeal before the Sessions Court. Hence, the petitioner is at liberty to make appropriate application for interim protection in the pending appeal.

4. Petition is devoid of any merits. This is not a fit case to exercise powers under Article 227 of the Constitution of India. Hence, the petition is dismissed.

5. However, the petitioner is at liberty to make appropriate application in the pending appeal filed under The Protection of Women from Domestic Violence Act, 2005 before the Sessions Court.

[GAURI GODSE, J.]