

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3381 OF 2024**

Mr. Pradeep Nimbaji Sawale and Others ... Petitioners

vs.

Ms. Rashmi Pradeep Sawale ... Respondent

Ms. Sangita A. Zunjarrao for the Petitioners.

Ms. S. K. Gajare, APP for the Respondent – State.

CORAM : GAURI GODSE, J.

DATE : 13th AUGUST 2024

ORDER :

1. Heard learned counsel for the petitioner. Learned counsel for the petitioner submits that respondent has her own source of income, however, she has suppressed the same. She further submits that respondent has not filed her affidavit of assets and liabilities. She further submits that respondent was in fact staying with the petitioner no. 1 during the pendency of the application for interim maintenance before the learned magistrate. She thus submits that her application was therefore dismissed by the learned magistrate.

2. Learned counsel for the petitioner however submits that as per the impugned order petitioner no. 1 has regularly paid Rs.10,000/-. She submits that till today petitioner no. 1 has paid an amount of Rs. 2,10,000/-, however there is an arrears of Rs. 8,00,000/-. She on instructions submits that the petitioner no.1 shall deposit an amount of Rs. 2,00,000/- in this court within two weeks from today. Statement made on behalf of the petitioner no. 1 is accepted as an undertaking to the court.

3. After the petitioner no. 1 deposits the amount in this court, office is directed to issue notice to respondent returnable after on 1st October 2024.

4. In addition to court notice, learned counsel for the petitioner to serve the respondent by private service alongwith copy of this order and file service affidavit before the next date.

5. Stand over to 1st October 2024.

[GAURI GODSE, J.]