

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3550 OF 2024

Jaykar Vasant Sutar

...Petitioner

Versus

Mira Jaykar Sutar & Anr

...Respondents

Mr Khatri Mohd Adil, *with Nazneen Khatri, Tasmiya Memon & Sagar Samel, for the Petitioner.*

Mr VB Tapkir, *for Respondent No. 1.*

Mr AR Metkari, APP, *for Respondent No. 2-State.*

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SANJAY
MORMARE

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SHEPHALI SANJAY
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CORAM.

ARIF S. DOCTOR, J

DATED:

26th November 2024

PC:-

1. Today, when the matter was called out, Learned Counsel for the Petitioner submitted that out of an amount of Rs. 1 Lakhs, which was to be paid towards maintenance, an amount of Rs. 70,000/- has been transferred directly to the bank account of Respondent No. 1.

2. Learned Counsel appearing on behalf of Respondent No. 1 confirms this fact. Insofar as the balance amount, Learned Counsel for the Petitioner seeks one week's time to make the balance payment since it is his contention that the Petitioner is a diabetic patient and in fact has had to have two of his fingers amputated and was operated for this

purpose. Learned Counsel for Respondent No. 1 invites my attention to the order dated 12th July 2024 as also order dated 12th November 2024 and points out that the Petitioner had ample time to make the deposit.

3. Be that as it may, what is important is the fact that 70% amount has been deposited. Hence, I am inclined to give as a last chance one week's time to the Petitioner. I am, however, noting the undertaking given to the Court on 12th July 2024 by the Petitioner, consequences of breach of which the Petitioner is to well aware.

4. List the mater on 10th December 2024.

5. In the meantime, further proceedings in DV/34/2023 are stayed including issuance of a non-bailable warrant until the next date.

(ARIF S. DOCTOR, J)