

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. REVISION APPLICATION NO. 152 of 2024

Rohit Thakarshi Pipalia

..... Applicant

VERSUS

Mita Rohit Pipalia & Anr.

..... Respondents

Mr.Rajaram Bansode a/w. Kiran Nikam for the Applicant.

Mr.Swapnil S.Pednekar, A.P.P. for the State – Respondent No.2.

CORAM: RAJESH S. PATIL, J.

DATE : 20 MARCH, 2024

P.C. :-

This civil revision application has been filed by the husband challenging an order passed on an application preferred by him under section 127(1) of the Code of Criminal Procedure.

2. Mr.Bansode, learned counsel appearing for the applicant submits that as of date, only a sum of Rs.72,000/- is outstanding as an interim maintenance amount.

3. In order to show his *bona fide*, the applicant is directed to deposit a sum of Rs.36,000/- within a period of two weeks from today to be deposited in the bank account of the respondent wife without prejudice to the rights and contentions of both the parties.

4. Subject to the applicant depositing an amount of Rs.36,000/- in the bank account of the respondent wife, there will be *ad-interim* relief in terms of prayer clause (c) till the next date of the hearing. The said prayer clause (c) of the civil revision application reads as under :-

(c) That pending the hearing and final disposal of the present Criminal Revision Application, this Hon'ble Court may be pleased to stay the execution and implementation and operation of the judgment and order dated 14.05.2018 passed below Ex.58 by Ld. Family Court No.3 Bandra Mumbai in Petition No. E-206 of 2013.

5. Subject to the applicant depositing a sum of Rs.36,000/- in the bank account of the respondent, the Department to issue notice to the respondent, returnable on **17 April, 2024**.

6. Apart from the court notice, the applicant is also permitted to serve the respondent by private service, by all permissible modes of service and file affidavit of service before the next date of the hearing.

7. Mr.Swapnil Pednekar, learned A.P.P. waives service for the State.

[RAJESH S. PATIL, J.]