

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.299 OF 2024

Shridhar Dharmaji Dhanajkar & Anr. Applicants

V/s.

Shalini Chandrashekhar Kamble & Anr. Respondents

Mr.Adwait Bhonde a/w Mr.Omkar Phadatre, for the Applicants.

Mr.N.B. Patil, APP, for Respondent-State.

Mr.Sandip Khandekar i/b Mr.Nagesh Chavan, for the
Respondent No.1.

CORAM : R.M. JOSHI, J.

DATE : 9th AUGUST 2024

P.C:-

. At the outset the counsel for the contesting
Respondents seeks accommodation.

2. The learned counsel for the Petitioner makes
grievance that, the counsel for the Respondent time and again
seeks accommodation and therefore the Application is not
heard till date.

3. He drew attention of this Court to the Application
filed by the Respondent before the JMFC, Pune under the

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Protection of Women from Domestic Violence Act, 2012 (for short 'Act') wherein it is not contended specifically that the Respondent was sharing household with Petitioner-Applicants herein. He drew attention of the Court to contentions of the Respondent in paragraph No.1 of the Application, wherein she is stated that after her marriage on 9th November 2005 she was staying with her husband and thereafter she residing at the address mentioned in the Application.

4. *Prima facie* in order to maintain such Application under the act the Applicant must show that she was sharing household with the person meaning thereby, she lived in the domestic relationship as contemplated by Section 2(f) of Act with the Applicant. In absences of any averments made by the Applicant there is serious doubt created about maintainability of the said Application. Hence, there would be stay to the proceedings in MA No.2052 of 2022 pending before the JMFC, Court No.5, Pune, till further orders.

5. Stand over to 10th September 2024.

(R.M. JOSHI, J.)