

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1450 OF 2024
WITH
INTERIM APPLICATION NO. 1451 OF 2024
IN
REVISION APPLICATION (ST) NO. 3787 OF 2024**

Ramesh Chotelal KurilApplicant
Vs.
Rekha Ramesh Kuril and anr.Respondents

Ms. Trupti Bharadi for the Applicant.
Ms. Shilpa Talhar, APP for the State.
Mr. Ramesh C. Kuril- Applicant, Present.

**CORAM : GAURI GODSE, J.
DATE : 27th JUNE 2024**

ORDER :

1. This petition was taken up out of turn.
2. This revision application challenges an order passed under Section 125 of Code of Criminal Procedure (Cr.P.C.) directing the petitioner to pay an amount of Rs. 16,000/- per month. There is delay in filing the application.
3. Learned counsel for the petitioner submits that she has explained the reasons for delay caused in filing the present revision application. She further submits that for execution of the impugned

order a distress warrant is issued for recovery of an amount of Rs. 2,20,000/- towards arrears of maintenance.

4. Learned counsel for the applicant further submits that the applicant is not in a position to make payment and he further relies upon an customary divorce, which was signed on 28th June 1998. However, to show his bonafies, the applicant is willing to pay an amount of Rs. 50,000/- to the respondent by depositing the same in Family Court at Nashik.

5. The aforesaid statement is made on instructions of the applicant, who is present in the Court. The statement made is accepted as an undertaking to the Court.

6. In view of the aforesaid statement, I am inclined to issue notice in the application.

7. Issue notice to the respondent No.1, returnable on 2nd August 2024.

8. Subject to the applicant depositing an amount of Rs. 50,000/- in the Family Court at Nashik, no coercive action to be taken against the applicant for recovering the amount of arrears in view of the order dated 5th April 2023.

9. In addition to the Court notice, applicant to serve the respondent

No.1 by private service alongwith copy of this order.

10. The respondent No.1 is permitted to withdraw the amount, which will be deposited by the applicant in the Family Court at Nashik. The respondent No.1 shall be permitted to withdraw the amount on production of authenticated copy of this order before the Family Court at Nashik.

11. List the application under the caption "for directions" on the returnable date.

[GAURI GODSE, J.]

Digitally
signed by
MANGALTAI
JAYWANT
JADHAV
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