

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.209 OF 2024

Pravin S/o Satyanarayan Battulwar and others

Vs.

Meena W/o Pravin Battulwar and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri A.R. Fule, Advocate for petitioner.

CORAM : M.W. CHANDWANI, J.

DATE : MARCH 05, 2024.

Heard.

2. The petition seeks challenging proceedings filed by the respondents under the provisions of Protection of Women from Domestic Violence Act, 2005 (for short, 'Act of 2005') before the learned Judicial Magistrate First Class, Chamorshi vide MCA PWDVA No.20/2022.

3. The contention is that petitioner no.1 is married with some other girl. The present respondent no.1 is claiming herself to be resided with the petitioner no.1 in live-in relationship filed proceedings under the provisions of Act of 2005 against the petitioners. It is contended that the petitioners never resided with the respondent no.1 in shared household. According to him, the contention of respondent no.1 in first information report lodged against the petitioner no.1 for the offence punishable under section 376 of the Indian Penal Code itself goes to show that he never resided with the

respondent no.1. According to him, the proceedings against petitioners under the provisions of Act of 2005 is not maintainable.

4. Issue notice to the respondents, returnable within two weeks.

JUDGE

Wagh