



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 217 OF 2025  
IN REVNST/501/2025**

Abhishek s/o. Anand Jadhav  
Age: 35 years, Occu.: Service,  
R/o. Flat No.8, SVS Anand Heights,  
Kashid Nagar, Pimplegurav, Pune.  
Tq. & Dist.Pune.

....Applicant

**Versus**

1. Sow.Shital W/o Abhishek Jadhav  
Age: 30 years, Occ.: Household,  
R/o. C/o. Sanjay Patil, Plot no.60,  
Ayodhya Nagar, Near Mahadev Temple,  
Jalgaon, Tq. and Dist.Jalgaon.

2. Jayswami S/o. Abhishek Jadhav  
Age: 3 years, Occu.: Education.  
Under Guardian of her mother  
i.e. respondent no.1.

....Respondents

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Advocate for Applicant : Mr.Sanket Sunil Shinde  
Advocate for Respondents : Mr. Amol Ratan Gaikwad

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**CORAM : ABHAY S. WAGHWASE, J.**

**RESERVED ON : 20 MARCH, 2025**

**PRONOUNCED ON : 25 MARCH, 2025**

**ORDER :**

1. This is an application for condonation of delay of 170 days  
caused in filing criminal revision application.

2. Learned counsel submitted proceedings bearing no.E-28 of 2023, was instituted by the present respondents by invoking Section 125 of the Code of Criminal Procedure. That, by order dated 22-04-2014, learned Judge, Family Court, Jalgaon allowed the application and directed present applicant to pay an amount of Rs.5,000/- per month to petitioner no.1 and Rs.10,000/- per month to petitioner no.2. That, the applicant is intending to file criminal revision application against the aforesaid decision of the learned Judge, Family Court, but there is delay. That, applicant resides at Pune and the matter before the learned Judge proceeded ex parte against him. That, as the impugned judgment passed ex parte, he has no knowledge of the same. After getting knowledge, he went to Jalgaon to get the copies of the relevant documents. That, applicant visited Aurangabad in October, 2024 for filing criminal revision application. However, he came to know that the concerned Advocate is not in Aurangabad due to Diwali vacation. According to learned counsel, he contacted the Advocate in November, 2024. However, for collecting necessary documents he against went to Pune. According to the learned counsel, due to aforesaid reasons, delay has been caused and as the delay is not deliberate or intentional, he prays for condonation of delay.

3. Learned counsel for the respondents opposed the application on the ground that delay caused is not properly explained. Therefore, learned counsel prays for rejection of the application.

4. After hearing the submissions and on going through the papers, it is emerging that respondents instituted proceedings bearing no.E-28 of 2023 under Section 125 of the Code of Criminal Procedure and by judgment and order dated 22-04-2024 said petition has been decided by the learned Judge, Family Court, Jalgaon and the applicant has been directed to pay Rs.5,000/- per month to petitioner no.1 and Rs.10,000/- per month to petitioner no.2. Now, applicant is intending to challenge the aforesaid judgment of the learned Judge, Family Court, however delay is caused in filing the criminal revision application.

Apparently, the impugned judgment and order dated 22-04-2024 is passed exparte. Delay caused in filing criminal revision application is of 170 days. In the interest of justice and to give a fair opportunity to the applicant, application deserves to be allowed. Hence, following order :

**ORDER**

- (I) Criminal Application No.217 of 2025 is allowed.
- (II) Delay of 170 days caused in filing criminal revision application is condoned.
- (III) Registry to verify and register criminal revision application.

**( ABHAY S. WAGHWASE )**  
**JUDGE**