



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

**909 CRIMINAL APPLICATION NO. 366 OF 2025
IN WP/190/2016**

Smt. Sneha Sunil Zawar

VERSUS

Sunil Surajmal Zawar And Others

...

Ms. Shilpa D. Magre h/for Mr. V. B. Patil, Advocate for Applicant

Mr. K. K. Naik, APP for Respondent State

CORAM : Y. G. KHOBRADE, J.

Dated : 11th February, 2025

PER COURT :-

1. By the present application, the applicant/wife (respondent in Criminal Writ Petition No. 190 of 2016), has prayed for permission to withdraw the entire amount of maintenance deposited by the Petitioner/husband during pendency of the petition.

2. Needless to say that on 16.01.2013, the learned JMFC, Muktainagar District Jalgaon passed the judgment and order in Criminal M.A. No. 29 of 2009 and thereby directed the petitioner/husband to pay maintenance @ Rs.10,000/- per month with compensation of Rs.5 lakhs. Being aggrieved by the said order, the petitioner husband had filed Criminal Appeal No. 22 of 2013. On 10.12.2014, the learned Additional Sessions Judge, Bhusawal

passed the judgment and order and confirmed the order of maintenance passed by the learned JMFC but modified the quantum of compensation to the tune of Rs.50,000/-. However, subsequently, in second round of litigation, the learned Additional Sessions Judge, Bhusawal, by order dated 16.09.2015 passed in Criminal Appeal No. 158 of 2014 (Old Criminal Appeal No. 22 of 2013), maintained the amount of maintenance of Rs.10,000/- and compensation of Rs.5 lakhs, as it is.

3. Being aggrieved by the said order, the petitioner husband had approached this Court by filing Criminal Writ Petition No. 190 of 2016. On 29.07.2024, this Court (Coram: Shivkumar Dige, J.) while dismissing Criminal Writ Petition Nos. 1341 of 2015 and 190 of 2016, passed the following operative order:

“The Petitioners shall deposit the remaining amount of Rs.4,50,000/- in D.V. Recovery Application No. 4 of 2021 pending before the Judicial Magistrate, First Class, Muktainagar within two weeks from the receipt of this order.”

4. Since this Court, while disposing of Criminal Writ Petition Nos. 1341 of 2015 and 190 of 2016, directed the petitioner husband to deposit remaining amount of Rs.4,50,000/- in D.V. Recovery Application No. 4 of 2021 pending before the Judicial

Magistrate, First Class, Muktainagar and the present applicant /wife has not stated in the body of application, whether any amount has been deposited by the petitioner in this Court towards arrears of maintenance, the present application is rejected.

(Y. G. KHOBRAGADE, J.)

JPChavan