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

18 CRIMINAL REVISION APPLICATION NO. 277 OF 2022

Parvez Iqbal @ Zafar Baig S/o. Mirza Khaisar Baig

VERSUS

Amtulmuqeet W/o. Parvej Iqbal And Another

.....

Mr R. D. Khadap, Advocate for Applicant

Mr A. R. Syed, Advocate for respondents

WITH

**CRIMINAL APPLICATION NO. 2609 OF 2025
IN REVN/277/2022**

Amtulmuqeet Parvej Iqbal And Another

VERSUS

Parvez Iqbal Alias Zafar Baig S/o. Mirza Khaisar Baig

.....

Mr A. R. Syed, Advocate for Applicants

Mr R. D. Khadap, Advocate for respondent

.....

CORAM : ADVAIT M. SETHNA, J.

DATE : 04 AUGUST 2025

P. C. :

1. Heard the learned Advocate for the Revision Applicant and the learned Advocate for the Respondents.

2. The Revision Application is preferred by the Applicant (husband) against the order and judgment dated 09 June 2022 in Petition E-81/2020. The operative part of the said order and judgment reads thus :-

(2)

ORDER

- “1. The petition is partly allowed.*
- 2. The respondent shall pay an amount of Rs.5000/- per month (Rs. Five Thousand) to the petitioner No.2 towards her separate maintenance in addition to the maintenance amount granted in Misc. Cri. Appln. No. 149/2015, from the date of institution of this petition.*
- 3. The respondent shall also pay an amount of Rs.5000/-(Rs. five thousand only) to the petitioners towards costs of this petition.*
- 4. Copy of order be given to the petitioners at free of costs.”*

3. At the very outset, both the learned Advocates for the parties draw the Court's attention to the order dated 29 September 2022 passed by this Court in these proceedings. By the said order, this Court has ordered a Stay to the judgment and order dated 09 June 2022 passed by the Family Court, Parbhani for a period of six weeks, subject to Applicant deposit sum of Rs. 1,00,000/- in this Court.

4. The learned Advocate for the Revision Applicant would submit that such amount has been duly deposited as directed by the Court vide the said order dated 29 September 2022. However, thereafter not a single penny is deposited by this Revision Applicant towards the maintenance of the daughter which is to the extent of

(3)

Rs.5000/- per month as directed by the impugned order. The only reason given by the learned Advocate for the Revision Applicant, on instructions, is that the Revision Applicant is not having financial wherewithal to deposit such amount. Besides that, there is absolutely nothing on record to support such contention.

5. In the given facts and circumstances, in my view, it would be in the interest of justice to direct the Revision Applicant to further deposit a sum of Rs.2,50,000/- with the Registry of this Court within a period of four weeks from today, without fail. Needless to mention that, if such deposit is not made and/or the order is not complied with, the protection granted to the Applicant may be vacated. It would also in the fitness of things to direct the Applicant to place on record with affidavit of disclosure of all his assets including movable and immovable properties in his name or in the name of his family members. He shall also file his latest Income Tax Returns for the last five assessment years. This shall be done on or before the adjourned date of hearing.

6. Learned Advocate for the Applicants in Criminal Application No.2609/2025 (Respondents in Criminal Revision Application No.277/2022) at this stage would pray that, considering

(4)

that the daughter is in need of the maintenance amount for her further education/study, it would be just and proper in the interest of justice to permit the Applicants to withdraw the amount of Rs.1,00,000/- deposited in this Court with accrued interest, pursuant to the order dated 29 September 2022, within a period of one week from today. Such prayer is fairly not opposed by the Revision Applicant.

7. In the event, such Application is made by the Applicants in Criminal Application No.2609/2025 for such withdrawal, it may be processed expeditiously, not later than within one week thereafter. Criminal Application No.2609/2025, which is filed for permitting withdrawal of such amount is accordingly **Disposed of.**

8. List the Criminal Revision Application for further consideration/hearing on **02 September 2025.**

[ADVAIT M. SETHNA, J.]

sjk