

Vaibhav

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.2138 OF 2014

Mr. Satish Namdeo Satpute

...Petitioner

Versus

Sou. Anjali Satish Satpute And Anr.

...Respondents

Mr. Vijaykumar R. Garad, for the Petitioner.

Mr. Vivek Kabade (Through V.C.) for the Respondent No.1.

Mr. S.S.Ghag, APP, for the State.

CORAM: MADHAV J. JAMDAR, J.

DATED: 28 JANUARY 2025

P.C.:

1. Heard Mr. Vijaykumar Garad, learned Counsel appearing for the Petitioner, Mr. Vivek Kabade, learned Counsel appearing for the Respondent No.1 and Mr. Ghag, learned APP for the State.

2. By the present Writ Petition filed under Article 227 of the Constitution of India, the challenge is to the legality and validity of the Order dated 4th April 2014 passed by the learned IInd Ad-hoc Additional Sessions Judge, Solapur in Criminal Appeal No.114 of 2013 [**“Impugned Order”**].

3. By the impugned Order, the present Petitioner has been directed to pay rent of Rs.3,000/- per month to the Respondent No.1 and her daughter and maintenance of Rs.10,000/- per month to the Applicant and Rs.10,000/- per month to daughter-Shruti. The said Order has been

passed by taking into consideration the income and assets of the Petitioner.

4. The only point raised by Mr.Garad, learned Counsel appearing for the Petitioner is that the learned Trial Court, while rejecting the Application for maintenance, has held that as the Applicant is not residing with the Respondents since 14th November 2005, there is no domestic violence. However, the definition of “Domestic Violence” as defined in Section 3 of the *Protection of Women from Domestic Violence Act 2005* includes economic abuse and the deprivation of all or any economic or financial resources to which the aggrieved person requires out of necessity including but not limited to the household necessities for the aggrieved person and her children which includes the maintenance etc., and therefore the relief seeking maintenance, is covered by the term “economic abuse and deprivation” as contemplated under *Protection of Women from Domestic Violence Act 2005* .

5. Accordingly, there is no substance in the contention raised by learned Counsel appearing for the Petitioner. Thus, no interference in the impugned Order is warranted.

6. Accordingly, the Writ Petition is dismissed, however with no order as to costs.

[MADHAV J. JAMDAR, J.]