

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2922 OF 2024

Jaya Namdeo Sonawane

.... Petitioner

Versus

Namdeo Gajrang Sonawane And Anr.

.... Respondents

Mr. Hrishikesh Sopan Shinde, Advocate for the Petitioner.

Mr. Priyal Sarda, Advocate for Respondent No.1.

Ms. S. N. Deshmukh, A.P.P., for Respondent No.2 – State.

SHANTANU
SHANKARSA
DHUDUM
Digitally signed
by SHANTANU
SHANKARSA
DHUDUM
Date:
2025.09.30
09:57:57 +0530

**CORAM : SHIVKUMAR DIGE, J.
DATE : 25th SEPTEMBER, 2025.**

P.C. :

1. Challenge in this writ petition is order passed by the learned Additional Sessions Judge, Solapur in PWDVA Appeal No.16 of 2021, thereby the appeal preferred by the Petitioner has been dismissed and impugned order passed by the learned Judicial Magistrate First Class, Solapur below Exhibit 21 on interim maintenance in Criminal Miscellaneous Application No.778 of 2017 has been confirmed. By the said order, learned JMFC has awarded interim maintenance of Rs.3,000/- to the Petitioner. The Petitioner has challenged the said order for enhancement of interim maintenance amount.

2. It is contention of learned counsel for the Petitioner that the

Respondent is working in Railway Department and drawing a salary of Rs.81,000/- per month. The Petitioner has no source of income, but the learned trial Court has not considered this fact and has awarded interim maintenance of Rs.3,000/-, which is a very meager amount. Hence, requested for enhancement of maintenance amount at least Rs.15,000/- per month.

3. It is contention of learned counsel for the Respondent No.1 that Petitioner and Respondent have four children out of their wedlock, and Respondent is maintaining all the four children. The Respondent has performed marriage of three daughters at his own expenses. The Respondent has other expenses also. The learned trial Court and learned Sessions Court has passed a well-reasoned order, and no interference is required in it, and requested to dismiss the writ petition.

4. I have heard both learned counsel, perused impugned order passed by learned Sessions Judge. The Petitioner is a lady. She has no source of income. The Respondent is a Government Employee and is earning Rs.81,000/- per month. The DV proceedings is pending before the trial Court. If the Respondent is directed to pay Rs.8,000/- per month as interim maintenance till the decision of the DV proceedings pending before the trial Court would suffice and, I pass following order:

ORDER

- i. The writ petition is allowed.
- ii. The Respondent shall pay interim maintenance of Rs.8,000/- to the Petitioner from 1st September, 2025 till the decision of the DV proceeding pending before the trial Court.
- iii. The Respondent shall deposit the arrears of maintenance amount as directed by the learned Judicial Magistrate First Class, Solapur within three weeks from today.
- iv. The learned Judicial Magistrate First Class, Solapur shall decide the DV proceeding pending before him on its own merit and without influence.
- v. The learned Judicial Magistrate First Class, Solapur is requested to expedite hearing of DV proceedings as early as possible.
- . The Writ Petition stands disposed off.

(SHIVKUMAR DIGE, J.)