

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.4441 OF 2024

Aman Singh Anand

...Petitioner

Versus

Sarabjit Kaur Anand & Anr.

...Respondents

Dr. Samarth Shrikant Karmarkar a/w Tarun Shailesh Shrivastava i/b
Karmarkar & Associates, for the Petitioner.

Mr. Prasad Borkar, for Respondent No.1.

Mr. B. B. Kulkarni, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.

DATED: 08 AUGUST 2025

P.C.:

1. Heard Dr. Karmarkar, learned Counsel appearing for the
Petitioner and Mr. Borkar, learned Counsel appearing for Respondent
No.1.

2. By the present Writ Petition, the challenge is to the legality and
validity of the Order dated 30th December 2023 passed by the learned
Metropolitan Magistrate, 65th Court, Andheri, Mumbai in Interim
Application in CC No.375/DV/2018. The operative part of said Order
reads as under :-

“ORDER

- 1) *Respondents are hereby restrained from committing any form of domestic violence on the Applicant.*
- 2) *Respondent no.1 Aman Singh is directed to pay interim maintenance of Rs.10,000/- p.m. to the applicant and Rs.10,000/- per month to the daughter including all expenses from the date of this application till decision of main petition.*
- 3) *Respondent No.1 directed to pay interim rent of Rs.35,000/- p.m. towards interim rent to the applicant from date of passing this order till decision of main petition or he is directed to provided alternate accommodation (2BHK) in the vicinity of the applicant.*
- 4) *Other prayers of the applicant mentioned in this application requires evidence, therefore it will be decided at the time of conclusion of trial.*
- 5) *Copy of this order be given free of cost to both the parties vide Sec.24 of the Act.*
- 6) *Applicant is at liberty to show copy of this order to the concern Protection Officer/PSO as and when required.”*

3. The learned Additional Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi by the Judgment and Order dated 18th September 2024 passed in Criminal Appeal No.100 of 2024 has confirmed the said Order dated 30th December 2023.

4. Both Petitioner - Aman Singh Anand and Respondent No.1 - Sarabjit Kaur Anand are personally present in Court.

5. Dr. Karmarkar, learned Counsel for the Petitioner, on instructions of the Petitioner, states that the Petitioner is accepting the said Order dated 13th December 2023 if the interim rent of Rs.35,000/- per month is reduced to Rs.25,000/- per month.

6. Mr. Borkar, learned Counsel for Respondent No.1, on instructions of the Respondent No.1, who is personally present in Court, states that the said amount of interim rent of Rs.35,000/- be reduced to Rs.25,000/- per month.

7. Accordingly, said Order dated 30th December 2023, by consent, is confirmed subject to the modification that the interim rent of Rs.35,000/- per month is reduced to Rs.25,000/- per month.

8. However, this modification is allowed only on the condition that Mr. Aman Singh Anand, Petitioner shall pay in the account of Respondent No.1, aggregate amount of Rs.45,000/- per month consisting of maintenance for Respondent No.1-wife and daughter and towards rent, on or before the 15th day of each succeeding month. First such payment shall be made on or before 15th August 2025 which shall be the maintenance for the month of July 2025. The arrears are to be paid within a period of 6 weeks from today i.e. on or before 19th September 2025.

9. However, the Petitioner to deposit an amount of Rs.2,50,000/- in the account of the Respondent No.1 on or before 13th August 2025 towards part payment of arrears. The Petitioner - Aman Singh Anand who is personally present in Court, states that all these payments i.e. monthly payment and of arrears will be made on the schedule dates. The said statement made by the Petitioner is accepted as undertaking

given to this Court.

10. Accordingly, Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]