

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

Criminal Writ Petition No.5334 of 2024

Sameer Mohd. Rafiq Mujawar ... Petitioner.

V/s.

Smt. Sameena Allauddin Shaikh & anr. ... Respondents.

Mr. Vijay Garad	Advocate for the Petitioner.
Mr. Gautam R. Kulkarni a/w. Rutvik Kashid i/b. Mr. Shubham R. Vasekar	Advocate for Respondent No.1.
Ms. S.D. Shinde	APP for the State.

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CORAM : S.M. MODAK, J

DATE : 21st July 2025.

P.C. :

Heard learned Advocate for the Petitioner-husband and learned Advocate for the Respondent-wife.

2. The wife has filed complaint for an offence punishable under Section 138 of the Negotiable Instrument Act and under Section 420 of Indian Penal Code before the Court of JMFC, Karmala. The order of issuance of process is not annexed.

3. The learned Advocate for the Respondent-wife has got instructions to appear, yet the Vakalatnama is not received. Mr. Garad vehemently argued that there is no liability and in fact the

allegation in the complaint mentions that prior to marriage with wife certain financial assistance was given. There is a statutory notice and it was also replied denying the allegations.

4. Considering the relationship of husband and wife, I deem it proper to refer the matter for mediation at Karmala Court. Hence, the following order:-

ORDER

- (i) The dispute is referred for mediation to Karmala Taluka Legal Services Authority, Karmala.
- (ii) The Secretary, Taluka Legal Services Authority, Karmala to appoint a suitable Mediator.
- (iii) Both the parties are directed to appear before the Karmala Court on 31st July 2025 at 11.00 a.m.
- (iv) Mediator be paid fees as per the Rules from the fund.
- (v) Compliance report be submitted within two months. Stand over to 22nd September 2025.

5. In the aforesaid view of the matter, the Petitioner is at liberty to ask for adjournment from the trial Court. The trial Court to consider it positively.

(S.M. MODAK, J.)