

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.301 OF 2025

Kondiba Sidram @ Sidharam Shinde	...Petitioner
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Laxman Kalel, for the Petitioner.
Ms. Shilpa G. Talhar, APP, for the Respondent No.1-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 26th MARCH 2025

P. C.:

1. Heard Mr. Kalel, learned Counsel appearing for the Petitioner and Ms. Talhar, learned APP appearing for the Respondent No.1-State.

2. By the impugned order dated 12th March 2024 passed by the learned JMFC, Mhaswad below Exhibit-6 in Criminal M.A. No.180 of 2022 filed under Section 125 of the Code of Criminal Procedure, 1973 (“CrPC”), interim maintenance of Rs.4,000/- has been granted.

3. It is the submission of Mr. Kalel, learned Counsel appearing for the Petitioner that the Respondent No.2 is not the mother of the Petitioner. He submits that second marriage has been performed by the father of the Petitioner with the Respondent No.2 during the life time of the Petitioner's mother.

4. The Petitioner has not produced any material to substantiate the said contention.

5. In the said Criminal M. A. No.180 of 2022, it is specifically stated by the Applicant i.e. the Respondent No.2 that her marriage with the father of the Petitioner was solemnized after the death of first wife. Therefore, there is no substance in the contention that the order under Section 125 of the CrPC cannot be passed against the Petitioner.

6. Perusal of the record further shows that the Petitioner is professor and working at Dahiwadi College, Dahiwadi and getting salary of about Rs.1,20,000/-. The learned Trial Court has also recorded that the Petitioner is getting additional agricultural

income. In any case, maintenance of only Rs.4,000/- per month has been granted.

7. Thus, no case is made out for interference under writ jurisdiction of this Court under Article 227 of the Constitution of India.

8. The Writ Petition is dismissed, however, with no order as to costs.

[MADHAV J. JAMDAR, J.]

SONALI
MILIND
PATIL

Digitally
signed by
SONALI
MILIND
PATIL
Date:
2025.03.28
10:04:21
+0530