

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.1883 OF 2025

Deepak Baliram Chavan	...Petitioner
<i>Versus</i>	
Mrs. Supriya Dipak Chavan & Ors.	...Respondents

Ms. Monika Ukale a/w Mr. Suraj Gupte, Advocate for Petitioners.
Mr. J.D. Khairnar, Advocate for Respondents
Ms. Dhanalaxmi Krishna Iyer, APP for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 7th May 2025

P.C.:

1. By the present Writ Petition, challenge is to the legality and validity of the Order dated 27th December 2024 passed by the learned Additional Sessions Judge, Malegaon, District- Jalgaon, by which Criminal Revision No.49 of 2023 was dismissed for non-prosecution.

2. Mr. Khairnar, learned Counsel appears for the Respondents and states that the Petitioner has not paid maintenance to the wife and two daughters for last about eight years. He states that the arrears are to the tune of Rs.11,83,000/-.

3. Learned Counsel for the Petitioner, on instructions of the Petitioner, who is personally present in Court states that the Petitioner will deposit in the account of the Respondent No.1, an amount of Rs.4,00,000/- within a period of two weeks from today. Learned Counsel for the Petitioner further states that an amount of Rs.10,000/- per month will be deposited in the account of the Respondent. First such deposit will be made on or before 10th June 2025. All these statements made by the learned Counsel for the Petitioner on instructions of the Petitioner are accepted as undertakings given to this Court by the Petitioner.

4. Mr. Khairnar, learned Counsel states that account details will be provided to the learned Counsel for the Petitioner within two days from today.

5. In view of the above statements made by the learned Counsel for the Petitioner, on instructions of the Petitioner, Mr. Khairnar, learned Counsel for the Respondent states that by consent of the parties, Order dated 27th December 2024 passed by the learned Additional Sessions Judge, Malegaon in Criminal Revision No.49 of 2023 be quashed and set aside.

6. Accordingly, order dated 27th December 2024 passed by the learned Additional Sessions Judge, Malegaon in Criminal Revision No.49 of 2023 is quashed and set aside and Criminal Revision is restored to the file of the learned Additional Sessions Judge, Malegaon. However, it is clarified that if the statements recorded hereinabove of the Petitioner are breached, then in that event, the learned Additional Sessions Judge, Malegaon to dismiss the said Criminal Revision No. 49 of 2023 for non-compliance of conditional order passed by this Court.

(MADHAV J. JAMDAR, J.)