

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.6182 OF 2025

Sucheta Sumit Tambe

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Yogesh Joshi, for the Petitioner.

Mr. S. M. Mangaonkar, APP, for the Respondent No.1.

Mr. Jitendra S. Mishra a/w. Mr. Dharmendra S. Mishra, for the Respondent Nos.2 to 6.

CORAM: MADHAV J. JAMDAR, J.

DATED : 1st DECEMBER 2025

PC:-

1. Heard Mr. Joshi, learned Counsel appearing for the Petitioner and Mr. Mishra, learned Counsel appearing for the Respondent Nos.2 to 6.

2. It is the main contention of Mr. Joshi, learned Counsel that D.V. Case No.66 of 2023 has been filed in the Court of learned Judicial Magistrate First Class (“JMFC”), 53rd Court, Mulund, Mumbai and till date Exhibit-3 application *inter alia* seeking maintenance has also not been decided. He submits that no ad-interim order is also passed. He submits that daughter aged 9 years is being single handedly maintained by the family of the Petitioner i.e. her parents. The Petitioner is house-wife.

3. On the other hand, Mr. Mishra, learned Counsel appearing for the Respondent Nos.2 to 6 raises several contentions. However, he submits that without prejudice to the rights and contentions of the Respondent Nos.2 to 6, the Respondent No.2-Sumit Tambe will pay an amount of Rs.10,000/- per month in the account of the Petitioner-wife towards maintenance of the child.

4. Mr. Joshi, learned Counsel appearing for the Petitioner submits that Rs.1,00,000/- has been sought as maintenance by the Petitioner for herself and Rs.1,00,000/- for the daughter. He submits that the Respondent No.2 is Software Engineer and getting salary of approximately Rs.3,50,000/-.

5. In any case, the Interim Application being Exhibit-3 in D.V. Case No.66 of 2023 is pending before the learned JMFC.

6. Accordingly, by consent of the parties, the following order is passed:

ORDER

(a) The learned JMFC, 53rd Court, Mulund, Mumbai is requested to decide application bearing Exhibit-3 in

D.V. Case No.66 of 2023 expeditiously on or before 30th April 2026.

- (b) The statements made by Mr. Mishra, learned Counsel appearing for the Respondent Nos.2 to 6 that the Respondent No.2-Sumit Tambe will pay an amount of Rs.10,000/- per month on or before 10th day of each month in the account of the Petitioner-wife and first such payment will be made on or before 10th December 2025 are accepted as undertakings given to the Court.
- (c) It is clarified that this statement is recorded without prejudice to the rights and contentions of both the parties and the said statement will remain in operation till the learned JMFC decides Exhibit-3 application filed in D.V. Case No.66 of 2023. Thereafter, the Respondent No.2 shall pay the maintenance as determined by the learned JMFC.

7. It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.

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

[MADHAV J. JAMDAR, J.]

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