



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**903 CRIMINAL APPLICATION NO. 4351 OF 2025
IN REVN/72/2022**

SAMADHAN ANANDA LOKHANDE

....Applicant

VERSUS

PRIYANKA SAMADHAN LOKHANDE AND ANOTHER

.....Respondents

Mr. D. A. Naik, Advocate for the Applicant

Mr. K. B. Jadhav, Advocate for the Respondent Nos. 1 and 2

CORAM : ABHAY J. MANTRI, J.

DATE : 22th APRIL, 2026

PER COURT :

1. The Applicant has filed this Application for seeking modification in the order dated 25-10-2023, passed by this Court in Criminal Revision Application No. 72/2023.

2. Heard the learned Advocates for the parties and perused the record of the case.

3. At the outset, it appears that by order dated 25-10-2023, this Court partly allowed the Revision Application and thereby quashed and set aside the order dated 09-12-2021 passed by the Family Court in Application No.E-135/2021, subject to the condition mentioned therein. I would like to reproduce the said order as under:

*“[I] The criminal revision application is partly allowed;
[ii] The impugned order dated 9.12.2021 passed by the Family Court in Application E-135 of 2021 is hereby quashed and set aside subject to condition that the applicant deposits 50% of the arrears as per the order dated 9.12.2021 with the Family Court, within a period of six weeks from today, further continue to pay the cumulative maintenance @ 7,500/- p.m. to the respondents till final disposal of the application No. E-135 of 2021.
[iii] Parties to appear before the Family Court on 8.11.2023. The applicant may cross-examine respondent No.1/wife within four weeks from the date of appearance.
[iv] The applicant shall file evidence affidavit within a week thereafter.
[v] Cross-examination of applicant/husband shall be completed within a period of 4 weeks after filing of his evidence affidavit.
[vi] The learned Judge, Family Court, Jalna is requested to expeditiously decide the proceeding as early as possible and in any event, within six months from today.
[vii] Non deposit of maintenance amount as indicated in Clause (ii) shall entail in restoration of order dated 9.12.2022 and any steps taken in terms of directions mentioned in clauses (iii) to (v) shall stand vitiated automatically without further reference to this Court.
[viii] The revision application stands disposed of in above terms.”*

4. Bare perusal of the said order, it appears that this court has partly allowed the Revision Application and gave an opportunity to conduct the evidence, subject to the deposit of 50% of the arrears. However, he failed to comply with the order. Therefore, the matter was proceeded against him. It further reveals that the court has passed a detailed order and, by clause (vii), made it clear that failure to comply with the same would automatically revive the order dated 09.12.2022. Similarly, directed to the Family Court to decide the proceeding within six months from said date, i.e. 24.04.2024.

5. It seems that instead of complying with the order of this court, on 02.11.2025, i.e., two years later, the Applicant filed this Application, seeking modification of the order dated 25.10.2023, and further seeking time to conduct the evidence/trial, which is not at all tenable.

6. On putting a query to the learned Advocate for the Applicant under which provision he has moved this application, he could neither answer nor explain.

7. On the contrary, it clearly appears that the Applicant has not complied with the order of this Court but flouted the same. Therefore, in my opinion, on that ground itself, the Applicant is not entitled to any modification in the order passed by this court.

8. Apart from the above, the reasons disclosed in the application are neither satisfactory nor convincing to interfere in it in this Application. If the Applicant was not satisfied with the order of this Court, he has to apply to the Court within a reasonable time, not after a lapse of two years. The said conduct of the Applicant indicates that the Applicant desires to protract the matter rather than proceed with the same.

9. That being so, the Application being bereft of merits, stands dismissed. No order to cost. The Application is disposed of.

[ABHAY J. MANTRI, J.]

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