

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 88 OF 2026

Pooja Swapnil Pise and others

... Petitioners

Versus

Shruti Abhishek Undale and another

... Respondents

Mr. Shubham Dhenge a/w Ms. Ankita Mali i/b Ms. Kalyani Mangave, for
Petitioners.

Mr. Rishikesh Ajit Mohite, for Respondents.

Ms. Sneha Prakash Undale- Petitioner No.2 and Mr. Prakash Krishnat Undale –
Petitioner No.3 present in Court.

CORAM : M. M. SATHAYE, J.

DATE : 27th February 2026.

SHAILAJA
SHRIKANT
HALKUDE

Digitally signed
by SHAILAJA
SHRIKANT
HALKUDE
Date: 2026.02.27
18:07:45 +0530

P.C. :

1. This Petition is urgently circulated because regular Bench is not available today. Heard learned counsel for the parties.
2. The Petitioners are husband, mother-in-law and sister-in-law of Respondent No.1 – daughter-in-law in the family with Respondent No.2 who is a child of tender age.
3. The Petitioners are challenging the order dated 16.02.2026 passed below Exh.36 in Application No.15 of 2025 by Judicial Magistrate, First-Class, Peth Vadgaon. By the said order, it is directed that possession of a on the third floor of Rukmini Colony, Peth Vadgaon be given/restored to Respondent No.1 and if the said premises is in possession of any person, such person be instructed to vacate. The order also directs that lock on the said premises be broken and necessary

panchanama be drawn. Clause 4 of the impugned order directs that the complaint of Respondent No.1 be registered by Police Inspector, Vadgaon Peth Police Station.

4. Dispute is arising out of proceedings under Protection of Women from Domestic Violence Act, 2005. By order dated 06.12.2025, the Judicial Magistrate First-Class, Peth Vadgaon has allowed the Application of Respondent Nos.1 and 2 restraining the Petitioners from dispossessing Respondent Nos.1 and 2 from third floor of the said building and pay interim maintenance. It is not disputed that for implementation of this order, the present application Exh.36 was filed.

5. Today, Petitioners No.2 and 3 are present in the Court, who are mother-in-law and father-in-law of Respondent No.1 and who are duly identified by their advocate. Learned counsel for the Petitioners states on instructions of Petitioner Nos.2 and 3, that they have no objection for Respondent No.1 to open the said room on the third floor and occupy the same. Statement is accepted.

6. Learned counsel for Respondent No.1 states on instructions that clause 4 of the impugned order about direction to Police Inspector, is limited and restricted to implementation of order dated 06.12.2025 only. Said statement is also accepted.

7. In view of the statements made above and accepted by this Court, nothing survives for further consideration.

8. **Writ Petition is accordingly disposed of in above terms.**

9. All concerned to act on duly authenticated or digitally signed copy of this order.

[M. M. SATHAYE, J.]