

MHNS050020542024



Cri.M.A. No. 287/2024
Pooja Manoj Bhor Vs
Manoj Shriram Bhor

ORDER BELOW EXH.5

1. The applicant has filed an application under Section 144 of the Bhartiya Nyay Suraksha Sanhita, 2023, seeking interim maintenance.
2. Applicant No. 1, Pooja Bhor, is the legally wedded wife of the non-applicant. Their marriage took place on May 11, 2018, at Handorej Green Point and Land, Vihitgaon, Nashikroad, Nashik. From this union, applicant No. 1 gave birth to applicant No. 2, Sanvi. Applicant No.1 states that her family covered all the marriage expenses, totaling Rs.12,00,000/-.
3. After the marriage, applicant No. 1 resided at her matrimonial home. The non-applicant treated her well for the first two months. However, she alleges that he began to abuse and insult her repeatedly without just cause. The non-applicant is reportedly a habitual drunkard who frequently quarrels with the applicant, abusing and beating her while

under the influence of alcohol. Despite this, applicant No. 1 beared the non-applicant's behavior in the hope that he would change. During her pregnancy, the non-applicant allegedly neglected her and continued to abuse her. After giving birth to a baby girl, the non-applicant's behavior did not improve. Applicant No. 1's mental state has deteriorated due to constant beatings, harassment, and threats from the non-applicant. Consequently, she left the matrimonial house. She has filed divorce petition No. 8/2024 and it is pending before the court. The non-applicant never help the applicant financially for their maintenance.

4. He is government servant and he earns Rs.40,000/- per month from his job and has a farm in Igatpuri, generating an annual income of Rs.10,00,000/-. Despite being in a sound financial position, the non-applicant has not provided any financial support to the applicants. Therefore, applicant No. 1 has prayed for interim maintenance of Rs.30,000/- per month for each applicant from the date the application was filed.

5. The non-applicant filed his reply at Exh. 22, admitting the relationship with the applicants but denying all other allegations. He contends that he has never committed any acts of violence against the applicant and has fulfilled all her wishes. He claims that the applicant completed her

M.Com degree and passed competitive examinations with his encouragement and financial support. He asserts that she left the house on her own accord, and when he attempted to bring her back, she refused to return. The non-applicant argues that the applicant has abandoned him, depriving him of the love of his wife and daughter. He also mentions that he has 16 gunthas of barren land that he does not cultivate, resulting in no income. Additionally, he has responsibilities toward his parents, sister, and nieces and nephews. Therefore, he requests the rejection of the application.

6. Perused the application and say of non-applicant. Heard both sides.

7. After perusal of the pleadings and considering the available material, this Court finds that the relationship between the parties is prima facie established. Applicant also relied on N.C. report which prima facie shows that applicant has lodged the report against the non-applicant regarding the ill-treatment. Prima facie, it also appears that applicant No. 1 is currently residing at her parental home, and the non-applicant has failed to provide any monetary support for their livelihood. The applicant has submitted that the non-applicant is government servant and earns Rs.45,000/- from service. From the assets and liabilities presented, it appears that

applicant No. 1 earns Rs.45,000/- per month. Considering these factors, I am inclined to grant interim maintenance to applicants.

8. Considering the facts and circumstances, this Court deems it appropriate to direct the non-applicant no. 1 to provide interim maintenance as follows. The non-applicant no. 1 shall pay a sum of Rs.5,000/- per month to the applicant no.1 and Rs.5,000/- to the applicant no.2 till final disposal of the application from the date of this application.

(N.K.Meshram)

Date: 17.09.2025

Judicial Magistrate First Class,
(Court no.2) Nashik-Road