

ORDER BELOW EXH.117.

By this application the applicant has prayed for issuance of summons to the manager of Natural Sugar and Allied Industries, Ranjani. Along with this application, the applicant has placed summary of bill issued by said Sugar Industry in the name of applicant. The non-applicant resisted this application by filing his say on overleaf of this application.

2. Perused record. Heard Both sides. It is the fact on record that, the applicant has not placed list of witnesses on record at the beginning. In spite of that, till today the applicant has examined three witnesses including the income tax officer. It is also necessary to consider here that, the applicant has placed her evidence affidavit at Exh. 13 on 16/01/2024. Thereafter, she again filed additional evidence affidavit at Exh. 53 on 20/12/2025 and in the interest of justice it was permitted by this Court. Even, having presentation of this proceeding on 13/04/2023, after a long span of approx two and half year i.e. on 17/12/2025, interim application under Section 23 of the D.V. Act was filed.

3. Without placing the list of witnesses, this Court has granted an opportunity to the applicant to examine the income tax officer as he was being material witness on the point of earning of the non-applicant. Further, it appears that, as per order dated 15/04/2026, while placing the belated amendment application at Exh. 109 on record, Ld. Advocate for the applicant had made statement that, even if the application at Exh. 109 is allowed, the applicant shall not file additional evidence on record.

4. Section 12 (5) of the D.V. act directs the Court decide an application under Section 12 within a period of 60 days. Further, it is a matter of record that, the Hon'ble High Court vide order dated 04/09/2025 in Criminal Application No. 4322/2023 has directed to dispose this proceeding within the period of one year.

5. In such circumstances and facts on record, if the conduct of

applicant is perused it seems that, on every occasion new applications such as issuance of witnesses, for examination of witnesses, interim applications, applications for amendment or producing of documents or additional evidence affidavit are filed. If, now this application is allowed it would be unending exercise. So, as till today already sufficient opportunities are granted to the applicant to produce her entire evidence pertaining to the domestic violence as well as of the quantum of income of non-applicant, issuance of summons to this witness appears unnecessary. Hence, application being devoid of merit, liable to be rejected. Accordingly, the following order:-

ORDER

Application stands rejected.

Date:- 29/04/2026.

(K. K. Chaudhari)
Judicial Magistrate F.C.,
(Court No.1), Kallam.

CERTIFICATE

I affirm that, the contents of this P.D.F file judgment are same, word to word, as per the original judgment.

Name of Stenographer	---	Shri. Pankaj A.Kshirsagar
Court	---	C.J.J.D. & J.M.F.C. Kallam
Date	---	29/04/2026
Order signed by the Presiding officer on	--	29/04/2026
Order uploaded on	—	29/04/2026