

Ad-interim Order Below Exh.1.



Ira Awasthee

V/s.

Yashwardhan Sharma + 2.

Present petition is filed by applicant U/Sec.12 of the Protection of Women from Domestic Violence Act seeking various reliefs against the respondents. The applicant and respondent No.1 are husband and wife and their marriage was solemnized on 13.02.2016 at Bhopal and thereafter it was registered in Pune on 27.09.2016 as per Custom. Respondent No.2 and 3, are her in laws. The applicant and respondent No.1, have minor daughter by name Shreenikha who was born on 08.08.2017.

- 2] The applicant further submitted that, the respondents treated her properly for a period of few months after marriage and thereafter used to quarrel with her on different issues. She narrated several incidents of domestic violence at the hands of respondents. Her version is supported with affidavit. Due to the act of domestic violence, she is residing separately at Pune with her minor daughter who is four years old. The applicant also filed on record the copy of birth certificate of minor daughter in which

her date of birth as shown 08.08.2017. She also filed on record certificate of marriage, marriage photographs, bank statements, N.C. lodged with concerned police station, leave and license agreement etc.

- 2] The perusal of petition prima-facie shows that, she is the victim of domestic violence at the hands of respondents. At this stage the applicant restricted her claim in terms of prayer clause II, III, IV and V by filing pursis Exh.6 and further stated that other reliefs may kindly be considered after appearance of the respondents and on merits. The applicant is having apprehension that respondents may enter into her house and creates some trouble for them. The learned advocate for petitioner further submitted that, the applicant is having apprehension that, respondent may take forceful custody of minor daughter from her. Prima facie case is made out by applicant to issue directions in terms of protection order. Hence, considering the nature of dispute between the parties and apprehension of applicant, ad-interim relief in terms of protection order can be granted at this stage. Hence, following order.

ORDER

- [1] Application is partly allowed.
- [2] Respondents are hereby directed not to enter into the house of the applicant i.e. Flat No.105, Tower 99, Amanora Park town, Hadapsar, Pune and not to disturb her and not to cause any domestic violence on applicant in any manner. The respondents are further directed that not to make any contact with applicant in any manner.

- [3] Respondents are further directed that not to take forceful physical custody of minor daughter from applicant.
- [4] Issue notice to respondents and call Domestic Incident Report.
- [5] Free copy be made available.
- [6] Copy of order be sent to the Hadapsar Police Station and Protection Officer for information and necessary action.

Date : 22/10/2021.

Sd/-xxx
(A. S. Deshpande)
Judicial Magistrate First Class,
Cantonment Court, Pune.

C E R T I F I C A T E

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

Name of the Court : Shri. A. S. Deshpande

Name of the Steno : Smt. P. G. Burhade

Order date : 22/10/2021.

Order signed by P.O. on : 22/10/2021.

Order uploaded on : 23/10/2021.