

MHST010021242022



Presented on : 04.04.2022  
Registered on : 04.04.2022  
Decided on : 06.03.2026  
Duration Ys. Ms. Ds.  
03 11 02

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,**

**SATARA AT : SATARA**

(Presided by Amit M. Shete)

**EXH. No. 51**

**CRI. REV. APPL. NO. 58/2022**

1. **Shri Swapnil Shamrao Pophale**  
Age : 33 yrs., Occ. : Business  
R/o. : B-11 Platinum Park Wadachi  
Wadi Road, Undri Pune 411060
2. **Shri Shailesh Shamrao Pophale**  
Age : 33 yrs., Occ. : Pet Groomer  
R/o. : 804, Chowhan Residency  
Wadachi Wadi Road, Next to  
Sanjivani Medico, Undri Pune 411060 ... Applicants

V/s

1. **Shri Shamrao Vaman Pophlae**  
Age : 64 yrs., Occ. : Advocate  
R/o. : B 206 Namo Vihar Satav Nagar,  
Handewadi, Hadapsar, Pune 411028
2. **The State of Maharashtra** ... Respondents

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Cri. Rev. Application under Section 438 of The Bhartiya Nagrik  
Suraksha Sanhita, 2023  
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**Appearances:**

Ld. Advocate Shri. C.L. Shevade, for the Applicants.

Ld. Advocate Shri. U.N. Shinde, for the Respondent no.1.

Ld. APP Shri. P.J. Jadhav, for the State

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**: J U D G M E N T :**

**( Delivered on this 06th day of March, 2026 )**

1. Feeling aggrieved and dissatisfied by the interim maintenance order dated 30.10.2021 passed by learned Judicial Magistrate F.C., Medha below Exh.5 in Criminal M.A. No.50 of 2021, the applicants (opponents) filed present revision application. The said application was filed by present respondent no.1 (applicant) seeking maintenance as per Sec.125 of Cr.P.C.

Few relevant facts can be noted as under :-

2. The applicant is a father of opponents. The applicant was not having source of income and therefore, was dependent upon the respondents being father. The respondents, though having source of earnings, failed and neglected to maintain their father and therefore, the application.

3. The notice of application was served upon the respondents however, they failed to appear and contest the application. The learned Magistrate, in absence of the respondents, proceeded to decide the interim maintenance application (Exh.5) by passing impugned order.

4. Gone through the revision application and documents

filed on record. Following points arose for my determination and the same are answered accordingly for the reasons noted below:-

| <b><u>Sr.No.</u></b> | <b><u>Points</u></b>  | <b><u>Findings</u></b> |
|----------------------|---|------------------------|
| 1.                   | Whether the Ld. Magistrate erred while allowing prayer of interim maintenance ? | No.                    |
| 2.                   | Whether interference is required?   | No.                    |
| 3.                   | What order ?  | .. As per final order. |

**: REASONS :**

**As to Points No.1 to 3 :**

5. The learned Advocate for the respondents i.e. present applicants filed an application (Exh.49) seeking permission of this Court to produce documents on record as per list (Exh.50). The learned Advocate produced on record the order dt.19.11.2022 passed by the learned Magistrate Medha below Exh.32 in Cr.M.A. No.50 of 2021.

6. On perusal of the order, it is apparent that the respondent i.e. applicant moved an application (Exh.32) before the Magistrate contending that he has received maintenance amount of Rs.30,000/- as well as Rs.3,000/-. In view of receipt of the maintenance amount, the applicant prayed for disposal of the main application. On the said application, the learned Magistrate, by order dt.19.11.2022 disposed of the main application. Thus, in view of disposal of main application, present revision application has virtually renders infructuous.

7. The learned Magistrate vide impugned order has granted meager amount of interim maintenance from the respondents. The order dt.19.11.2022 shows the compliance of the said order. Thus, the order impugned does not warrant any interference and therefore, I answer the points accordingly and pass following order :-

**: ORDER :**

1. The criminal revision application stands rejected.
2. The order dated 30.10.2021 passed by learned Judicial Magistrate F.C., Medha below Exh.5 in Criminal M.A. No.50 of 2021 stands confirmed.
3. Pending applications, if any, stands disposed of.
4. Issue memorandum accordingly.

**SATARA.**  
**Dt.06.03.2026**

**(Amit M. Shete)**  
**Addl. Sessions Judge, Satara.**