

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.32 OF 2023

Tejas Ajitlal Kashyap ...Petitioner
Versus
Prakruti Ajitlal Kashyap & Anr. ...Respondents

Mr Sumedh Modak, i/b Mr. Vijay Killedar, for the Petitioner.
Mr K.V. Saste, Addl.PP. for the Respondent-State.

CORAM Dr. Neela Gokhale, J.
DATED: 5th May 2025

PC:-

1 Issue notice to the Respondents returnable on 17th June 2025. Mr. Saste, learned Additional Public Prosecutor, waives notice on behalf of the Respondent No.2-State.

2 In addition to the Court notice, learned counsel for the Petitioner is permitted to serve the Respondent No.1 through private notice by all modes of communication as permissible in law. He is directed to file an affidavit of service before the next date.

3 Mr. Sumedh Modak, learned counsel appearing for the Petitioner, states that the amendment has been carried out in terms of the order dated 3rd December 2024 passed by this Court.

4. Mr. Modak submits that his principal challenge at present is to the directions issued by the Magistrate directing him to pay compensation of Rs.3 Lakhs to the Respondent No.1-Wife. He states that the impugned order dated 22nd February 2019 passed by the Magistrate does not indicate any reason justifying the quantum of the cost to the tune of Rs.3 Lakhs. He further submits that even the Sessions Judge, Greater Bombay has not considered the said objection raised by the Petitioner in the appeal.

4. I have perused the impugned orders passed by the Magistrate as well as the Sessions Court. No reasoning is recorded in the order dated 22nd February 2019 to indicate the basis on which the quantum of Rs.3 Lakhs has been arrived at by the Magistrate. In these circumstances, the impugned

orders to the extent of the direction to pay compensation of Rs.3 Lakhs is stayed till the next date.

4. Stand over to **17th June 2025**.

(Dr. Neela Gokhale, J)

SHAMBHAVI
NILESH
SHIVGAN

Digitally signed by
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