

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 126 OF 2026

**VIJAY RABHAJI KOLPE
VERSUS
VAISHALI VIJAY KOLPE AND OTHERS**

...
Advocate for Petitioner : Mr. Dhorde Vikram R.

...
CORAM : MEHROZ K. PATHAN, J.

DATE : 16th MARCH 2026

PER COURT :

1. Heard.

2. The learned Counsel for the Petitioner submits that, in pursuance of the order dated 09.03.2026, the Petitioner has deposited an amount of Rs. 8,00,000/- before this Court to show his bona fides, vide D.D. No. 418755 dated 10.03.2026. Thus, the order dated 09.03.2026 stands complied with.

3. The learned Counsel further submits that the Petitioner is challenging the order passed by the Appellate Court, whereby the application for interim maintenance filed by the Respondent/Wife in the D.V. proceedings was allowed. The Appellate Court has granted maintenance of Rs. 15,000/- to the Respondent/Wife and two children, along with Rs. 3,000/- towards alternate accommodation. The learned Counsel submits that the Respondent/Wife has already

been awarded an amount of Rs. 10,000/- as interim maintenance by the Civil Court in RCS No. 134/2017 filed by her, vide order dated 07.07.2018.

4. Not only this, the Respondent/Wife had also filed proceedings under Section 125 Cr.P.C. before the learned J.M.F.C. The learned JMFC rejected the application on the ground that the Respondent/Wife was already receiving an amount of Rs. 10,000/- awarded by the Civil Court vide order dated 07.07.2018 passed in RCS No. 134/2017. The Respondent/Wife thereafter filed a Revision challenging the said order rejecting her Section 125 Cr.P.C. application. The Revisional Court subsequently allowed the Revision by directing the Petitioner to pay an amount of Rs. 15,000/- towards maintenance to the Wife as well as two children. Thus, as of date, there are three orders operating against the present Petitioner to pay maintenance to the Respondent/Wife.

5. The aforesaid orders have been passed despite the fact that the Civil Court has already awarded an amount of Rs. 10,000/-. The Petitioner is not in a position to pay the higher amount as enhanced by both the Appellate Court as well as the Revisional Court in the D.V. proceedings and the Section 125 Cr.P.C. proceedings respectively.

6. Thus taking into consideration the aforesaid submissions, issue notice to the Respondents, returnable on 15.04.2026.

7. In the meanwhile, there shall be ad-interim relief in terms of prayer clause 'C' which are as under :

“C. Grant stay to the impugned judgment and order dated 10.12.2025 passed by the learned Additional Sessions Judge, Sangamner in Criminal Appeal No. 14/2022 pending hearing and final disposal of the present Criminal Writ Petition.”

**MEHROZ K. PATHAN
JUDGE**

NAJEEB..