

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1171 OF 2015**

Kasam Adam Hingwala

...Petitioner.

versus

The State of Maharashtra and others

..Respondents.

.....

Mr. A. Majid H. Banderkar for the Petitioner.

Mrs. A.S. Pai, Addl. P.P. for the State – Respondent Nos.1 to 3.

Mr. Suresh S. Lanke for Respondent Nos.4 and 5.

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**CORAM : B.P. DHARMADHIKARI &
A.S. GADKARI, JJ.**

29th July, 2015.

P.C. :

Heard Mr. Banderkar for the Petitioner, Mr. Lanke for Respondent Nos.4 and 5 and the learned APP for Respondent Nos.1 to 3. Upon instructions, learned counsel for the Petitioner seeks leave to withdraw the Petition with liberty to take recourse to such other legal remedies as are open in law.

2. Mr. Lanke as also the learned APP are opposing withdrawal as also liberty.

3. However, considering the fact that the Petitioner is seeking custody of his minor children who are presently in the custody of Respondent No.5 wife, it is apparent that the Petitioner has to proceed further in the matter as per law and the present proceedings cannot be a solution to his grievance.

Hence, with liberty as prayed for, we dispose of the Petition as prayed for.

(A.S. Gadkari, J.)

(B.P. Dharmadhikari, J.)