

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 315 OF 2015

Smt. Pratima Gupta	...	Applicant
vs.		
Smt. Komal Vikas Sawhney & Ors.	...	Respondents

Mr. Yuvraj P. Narvankar , Advocate, for the applicants Mrs. Nityoah S. Mehta
a/w Mr. Ashish Aman a/w Mrs. Nazia Khan I/b. Nityoah Suneel &
Associates for respondent No.1.
Ms. A.A.Mane, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 26th August, 2015.

P.C.

Heard. The learned counsel for the applicant fairly submits that on 12.1.2015, 35th J.M.F.C., Pune, had issued notice to the present applicant. The learned counsel submits that the application under the provisions of Protection of Women from Domestic Violence Act, 2005 would not be maintainable against the applicant in Criminal Application No.315 of 2015 as the applicant does not have any domestic relationship with the original complainant. It is rightly submitted that the applicant has not appeared before the concerned Court and has not filed any written Say. In view of this, the learned counsel for the applicant seeks liberty to

withdraw the Application with further liberty to appear before the concerned Court and file her written Say.

2. In view of this, the proceedings are stayed qua the applicant for a period of four weeks from today within which the applicant shall approach the concerned Magistrate's Court and file her Say.

3. All contentions are kept open.

Application stands disposed of as withdrawn.

4. The learned Magistrate shall pass appropriate orders in accordance with law, without being influenced by the withdrawal of this Application.

(SMT.SADHANA S.JADHAV, J.)