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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL REVISION APPLICATION STAMP NO. 418 OF 2014
WITH
CRIMINAL APPLICATION NO.346 OF 2014**

Omar Haroon Shaikh

.. Petitioner

Vs.

Almas Mehmood Whewaria and others

.. Respondents

Ms.Kishwar V.Mirza, Advocate for the Petitioner.

Mr.Shoaib I.Memon, Advocate for Respondent No.1.

CORAM : R.G.KETKAR, J.

DATE : 19th JANUARY, 2015

P.C. :

. Heard Ms.Kishwar V.Mirza, learned Counsel for the petitioner and Mr.Shoaib I.Memon, learned Counsel for respondent No.1.

2. By this petition under section 397 of the Code of Criminal Procedure, 1973, the petitioner-husband has challenged the judgment and order dated 19/07/2014 passed by the learned Judge, Family Court No.3, Mumbai in Interim Application No. 101 of 2014 (Exhibit 7) in Petition No. E – 92 of 2014. By that order, the Family Court partly allowed the application – Exhibit 7 and directed the petitioner to pay an amount of Rs.10,000/- per month each to respondents No.

1&2 as interim maintenance from the date of the application i.e. 13/03/2014 till the disposal of the main petition, among other directions.

3. After arguing the petition for some time, Ms.Mirza seeks permission to withdraw this petition. She further states that without prejudice to the rights and contentions of the petitioner in the proceedings before the Family Court, he will comply the impugned order by paying interim maintenance as awarded.

4. On the motion made by Ms.Mirza, petition is allowed to be withdrawn and is dismissed as withdrawn.

5. In view of the disposal of the petition, Criminal Application No. 346 of 2014 for staying the proceedings does not survive and the same is disposed of.

(R.G.KETKAR, J.)