

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 475 OF 2016

Rahim Abdul Agwan

... **Petitioner.**

Versus

Zohra Rahim Agwan and Ors.

... **Respondents.**

Mr.Hitesh Vyas for Petitioner.

Ms.A.A.Mane, APP for Respondent-State.

CORAM : R.V. GHUGE, J.

DATE : 14TH JULY, 2016.

P.C. :

1] The petitioner has challenged the judgment and order dated 8.1.2016 delivered by the learned Metropolitan Magistrate, 51st Court, Kurla, Mumbai under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

2] I find that Section 29 of the 2005 Act enables the aggrieved person to file an appeal within 30 days from the date on which the order is received. Such appeal is to be filed before the Court of Sessions.

3] In the light of the above this petition is disposed of with liberty to the petitioner to avail of the remedy under Section 29 of the 2005 Act. The time spent by the petitioner in this Court from the date of filing this petition which is 1st February, 2016 till the passing of this order shall be considered as a good ground for condonation of delay, in the event the petitioner prefers the appeal within three weeks from today.

(R.V. GHUGE, J.)