

Vidya Amin.

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

CRIMINAL WRIT PETITION NO. 3324 OF 2018

Sunny Francis ... Petitioner
VS.
Sindhu Sunny & Anr. ... Respondents

Mr. Vaibhav P. Patankar, Advocate for the petitioner.
Mr. Prasad Shenoy i/b. Flavia Agnes. Advocate for respondent no.1.
Mrs. Rutuja Ambekar, APP for respondent no. 2/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 24th October, 2018

P.C. :

Upon mentioning, taken on production board.

2. Rule. Rule made returnable forthwith. By consent, Writ Petition is heard finally and decided at the stage of admission.

3. This Writ Petition is filed challenging the order of no say dated 20th July, 2018 passed by the learned Chief Judicial Magistrate, Thane at Exhibit 16 and 19 in Application no. 15 of 2017

4. The learned counsel for the petitioner submitted that his

reply is ready.

5. The learned counsel for the respondent no. 1 submitted that the respondent no. 1 has filed Domestic Violence proceedings before the learned Magistrate, however, because of interim stay in the present Writ Petition, the entire proceedings before the Judicial Magistrate First Class is stand still. The learned counsel submitted that he has no objection if at all on the next date, the petitioner is allowed to file say.

6. In view of these submissions, the order dated 20th July, 2018 below Exhibits 16 and 19 in Application no. 15 of 2017 is hereby set aside. The petitioner is directed to file reply on the next date before the Magistrate Court, i.e., on 3rd November, 2018. Thereafter, the learned Magistrate to proceed with the matter and try to expedite it within six months. Parties to cooperate.

7. Rule is made absolute on above terms.

8. Writ Petition is disposed of.

(MRIDULA BHATKAR, J.)