

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

CRIMINAL APPLICATION NO.574 OF 2017

Maheshwari w/o. Sunder Raj & Ors. .. Applicants

Vs.

Mr.Sunder Raj s/o. K. Sunder Das & Anr. .. Respondents

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Mr.Harjeet Kaur Bhagwant Singh, Advocate for the Applicants.
Ms.R.M. Gadhvi, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 9, 2018.

P.C. :

This is an application seeking transfer of the petition No.E-393 of 2014, pending before Court Room No.3, Family Court, Bandra, Mumbai, to any other Court.

2 Learned advocate for the applicants, on instructions, submitted that the applicants have also preferred an application before the learned Principal Judge, Family Court, Bandra, Mumbai, seeking transfer of the said proceedings along with Divorce Petition No.A-1745 of 2014, which is also pending in the Family Court, Bandra, Mumbai, to any other Court.

3 In view of the above, the applicants seek permission to withdraw the present application with liberty to pursue the applications before the Principal Judge, Family Court, Bandra. In view of the above, the petitioners are allowed to withdraw this application with liberty to pursue the application preferred by the applicant before the Principal Judge, Family Court, Bandra, seeking transfer of the petition No.E-393 of 2014 and Divorce Petition No.A-1745 of 2014.

4 It is made clear that this Court has not expressed any view on the merits of the case and the learned Principal Judge shall decide the application preferred by the applicant in accordance with law.

5 All contentions raised in the petition are kept open.

6 Criminal Application stands disposed of.

(PRAKASH D. NAIK, J.)