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

CRIMINAL WRIT PETITION NO. 1595 OF 2020

Mohd.Afsar Maqbul Ahmed QureshiPetitioner
Vs.
Rubina Abdul Mujeeb Shaikh and anr Respondents

Ms.Afshan Goghari, for the Petitioner.
Mr.J.P.Yagnik, APP for the Respondent – State.
Mr.D.V.Saroj, for Respondent No.1.

**CORAM : S. S. SHINDE &
M. S. KARNIK, JJ**

DATE : 26th NOVEMBER, 2020

P.C. :

. The Petition is filed by the accused for quashing of FIR lodged by Respondent No.1 – Rubina Abdul Mujeeb Shaikh for the offence alleged under section 376 of the Indian Penal Code. Considering the law laid down in the case of **Giansingh Vs. State of Punjab and anr. 2012(10) SCC 303.** After we indicated that we are not inclined to quash FIR by consent having regard to the facts in the present case, learned Counsel for the Petitioner sought leave to withdraw the Petition. It was however pointed out that as Respondent No.1 is of a marriageable age,

the pending proceedings before the trial Court would come in the way of her marriage proposal. It is therefore requested that the trial be expedited.

2. Considering the submissions made by learned Counsel that Respondent No.1 intends to get married, we request the trial Court to expedite the proceedings. The trial Court is requested to frame the charge expeditiously and as far as possible to decide the matter by the end of January 2021. Learned Counsel for the Petitioner assures us that the Petitioner will co-operate with the proceedings before the trial Court and will not seek unnecessary adjournments. Equally it is expected of the Respondent No.1 to co-operate with the trial Court and not to seek unnecessary adjournments.

3. Subject to what is observed hereinbefore, the Petition stands dismissed as withdrawn.

4. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(M.S.KARNIK, J.)

(S.S.SHINDE, J.)