

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4419 OF 2022**

Dr. Anam Arshi Ansari

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr.Ali Bubere a/w. Mr.Zeeshan Sardar i/b. Mr. Rajendra Rathod for Petitioner.

Mrs.S.D. Shinde, A.P.P for Respondent-State.

Ms.Rimpal Trivedi for Respondent No.5.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 9th December 2022.****PC. :**

1. Learned Advocate for Respondent No.5 submitted that, Respondent No.5 had already filed Petition before the Family Court at Bandra seeking permanent custody and guardianship of the minor children, namely, Mohammad Arham Kinaz Ansari and daughter Hoorain Kinaz Ansari and for other consequential reliefs.

2. As the Family Court at Bandra is now seized of the matter pertaining to the custody of the children of Respondent No.5, we do not feel it necessary to entertain present Petition under Article 226 of Constitution of India.

3. In view thereof, learned Advocate for Petitioner seeks leave to withdraw present Petition with liberty to contest the said Petition filed by the Respondent No.5 on 19th November 2022 before the Family Court at Bandra. A copy of the said Petition along with other annexures is handed over to the learned Advocate for Petitioner by the learned Advocate for Respondent No.5 in Court today.

In view of the above, leave and liberty noted earlier is granted.

4. Petition is disposed off as withdrawn with aforesaid liberty.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]

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