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

**CRIMINAL WRIT PETITION NO. 1199 OF 2021**

|                                 |     |             |
|---------------------------------|-----|-------------|
| Amjad Abdul majid Jiواني        | ... | Petitioner  |
| Versus                          |     |             |
| The State of Maharashtra & Anr. | ... | Respondents |

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Mr. Faisal F. Shaikh i/by Rizwan Merchant & Associates for the  
Petitioner.

Mr. A. R. Kapadnis, APP for the Respondent No.1-State.

Ms. Najmussahar Asadi for the Respondent No.2.

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**CORAM: NITIN W. SAMBRE AND  
R. N. LADDHA, JJ.**

**DATE : 21<sup>st</sup> FEBRUARY, 2023**

**P.C. :-**

. The petitioner is seeking quashing by consent and the consent terms executed to that effect are produced on record. The petitioner is not physically present before the Court.

2. Be that as it may, the counsel for the respondent no.2 informs that the execution of the consent terms is duly admitted, however, the fact remains that the terms are not complied with as the petitioner is not cooperating or has not taken the divorce proceedings to its logical end. As such, according to her, the consent terms cannot be acted upon the divorce proceedings are concluded between the parties.

3. In response to the above, counsel appearing for the petitioner

submits that the petition can be disposed of with liberty to the petitioner to approach afresh after the conclusion of a divorce proceedings.

4. In view of above, petition stands disposed of with liberty to approach a fresh after the divorce proceedings are decided by the Court below.

**[R. N. LADDHA, J.]**

**[NITIN W. SAMBRE, J.]**