

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

CRIMINAL WRIT PETITION NO. 4558 OF 2024

Yasmin Mohammed Shafi @ Yasmin Petitioner
Mohammed Shafi Chapewala

Versus

State of Maharashtra and Anr. Respondents

Adv. Shehzad Naqvi, for the Petitioner.
Mr. C. D. Mali, APP, for the Respondent – State.
Adv. Jabbar Chopdar, for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th NOVEMBER, 2024.

P.C. :

1. By this writ petition, Petitioner is seeking the direction to the learned Metropolitan Magistrate 70th Court at Mazgaon, Mumbai to dispose of the Interim Application including the main application filed by the Petitioner under Section 12 of the Protection of Women from Domestic Violence Act in a time-bound manner.
2. Learned counsel for the Petitioner submits that as per the mandate laid down by virtue of section 12(5) of Protection of

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Women from Domestic Violence Act, 2005 (for short “DV Act”). The learned Trial Court has to dispose of the application filed by the Petitioner against the Respondent as early as possible, but the matter is pending since long and learned trial Court is entertaining the application filed by the Respondent. Hence, requested to allow the petition.

3. It is contention of learned counsel for the Respondent that Applicant stays at U.A.E. She fails to appear before the learned trial Court since last several days. Hence, requested to dismiss the petition.

4. Learned counsel for the Petitioner further submitted that the Petitioner was present before the trial Court except few days.

5. I have heard both learned counsel.

6. Considering the submissions of both learned counsel as the application filed by the Petitioner is under the Domestic Violence Act, 2005, the trial Court is requested to decide the matter as early as possible.

7. In view of above, the petition stands disposed of.

(SHIVKUMAR DIGE, J.)