



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 518 OF 2025

Zubeir Syed Iqbal @ Syed Zubeir and Others

..PETITIONERS

VERSUS

Uzma Syed Zubair w/o Zubair Syed Iqbal
alias Syed Zubair d/w Syed Afsar Ahmed

..RESPONDENT

....
Mr. W.A. Shaikh, Advocate for petitioners

Mr. S.V. Suryawanshi, Advocate for the respondent

....

CORAM : ABHAY J. MANTRI, J.

DATE : 07th NOVEMBER, 2025

PER COURT :

1. Heard learned counsel for both parties. Perused the affidavit filed by the respondent, i.e. applicant, in PWDVA Application No. 3 of 2025, along with withdrawal pursis and record.

2. The respondent – original applicant, in a domestic violence proceeding, has filed an Affidavit stating that by order dated 02nd May, 2025, (in fact the date is 07.08.2025), passed in this petition, the proceeding before the learned Magistrate has been stayed. The learned counsel further submitted that, during the pendency of the proceeding, the matter has been settled between the petitioners and accordingly, the respondent herein has filed the withdrawal pursis (Exh . 20) before the learned trial Court, who orally directed her to get the order from this Court for the withdrawal of the

said proceeding. Pursuant to that, the respondent has filed an affidavit dated 13th October, 2025 and circulated the matter to grant her permission to withdraw the original proceeding bearing PWDVA Application No. 3 of 2025 pending before the learned trial Court.

3. Learned counsel for the petitioners does not dispute to grant of permission; however, he has submitted that the respondent has not mentioned the one-time alimony/settlement amount in the withdrawal pursis, and therefore, he urged to direct the respondent to mention the said amount in the withdrawal pursis and in such circumstances he has no objection to grant permission to withdraw the proceeding. Similarly, he submitted that, in view of the same, he does not wish to proceed with this proceeding, and it may be disposed of.

4. Considering the above submissions and the affidavit of the respondent, i.e. original applicant filed along with the withdrawal pursis (Exh. 20) before the learned Magistrate, prima facie it seems that the matter has been amicably settled between the parties, and therefore, the respondent / original applicant wants to withdraw the proceeding, bearing PWDVA Application No. 3 of 2025 filed before the learned Magistrate. In view of the same, I have no hesitation in requesting the learned Magistrate to consider the withdrawal pursis (Exh. 20) on its own merits in accordance with the law, as the order of this Court does not impede it.

5. In view of the above facts, learned counsel for the petitioner submitted that the petitioners do not want to proceed with the petition, and the same can be disposed of. His statement is accepted.

6. Consequently, the Criminal writ petition is disposed of.
Inform this order to the learned Magistrate.

(ABHAY J. MANTRI, J.)

SSD