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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1824 OF 2026

Praful Tokershi Dhirawani & Ors. ... Petitioners

V/s.

Vaishali Jayendra Sarvaiya & Anr. ... Respondents

Mr. Ajay Laxman Bhise a/w Mr. Tejas Vijaykumar Dhotre,
Advocates for Petitioner.

Ms. A. S. Gotad, APP for Respondent - State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 21st APRIL, 2026

P.C. :

1. Ms. A. S. Gotad, learned APP for the State. She (raises an objection to the maintainability of this Petition). She submits that the order impugned by the Petitioners in the present Petition is passed under the Protection of Women from Domestic Violence Act, 2005, against which an appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005 would be maintainable against the impugned order before the Sessions Court.

2. In view of the said objection, Mr. Ajay Laxman Bhise, learned Advocate for the Petitioners, on instructions from the Petitioners, craves leave to withdraw the present Petition with liberty to file an Appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005. He submits that the present Petition was filed bona fide and in good faith, as such he requests for exclusion of time spent before this Court in the present Petition.

3. Ms. A. S. Gotad, learned APP for the State, does not oppose the said request made by Mr. Ajay Laxman Bhise, learned Advocate for the Petitioners.

4. In view of the statement made by Mr. Ajay Laxman Bhise, leave granted to withdraw the present Petition with liberty to file an Appeal under Section 29 of the Protection of Women from Domestic Violence Act, 2005 before the Sessions Court having jurisdiction. If such an Appeal is filed within a period of three weeks from today, then the Petitioners would be entitled to seek exclusion of the time spent before this Court in the present

Petition, in terms of Section 14 of the Limitation Act, 1963.

5. Criminal Writ Petition No. 1824 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)