

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

CRIMINAL APPLICATION NO. 330 OF 2026

Dibyendu Amal Manna And Ors.

...Applicants

Versus

The State of Maharashtra And Anr.

...Respondents

Mr. Vivek Kashiram Gupta a/w Ms. Uttara Sarkar, learned Advocates for the Applicants.

Mr. Sukanta A. Karmakar, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 24th FEBRUARY 2026.

P.C. :

1. Heard Mr. Vivek Gupta, learned Advocate for the Applicants and Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent.

2. By the present Criminal Application, the Applicants have sought for the following substantive relief in terms of prayer clause (a) :-

“a. this Hon'ble Court may be pleased to call for the records pertaining to DV. COMPLAINT No.27 of 2025 from the Court of JOINT CIVIL COURT JUNIOR DIVISION Vasai and on perusal of the legality and propriety thereof, this Hon'ble Court be pleased to quash and set aside the said proceedings.”

3. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent points out to Section 29 of the Protection of Women from Domestic Violence Act, 2005 (“PWDVA”) and submits

that the orders passed under the said provisions, are specifically appealable.

4. Faced with the said objection, Mr. Vivek Gupta, learned Advocate on instructions from the Applicants, craves leave to withdraw the present Criminal Application with liberty to file appropriate proceedings as available under the provisions of the PWDVA against the impugned orders.

5. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent does not object for grant of the request made by Mr. Vivek Gupta, learned Advocate for the Applicants.

6. In view of the statements made by Mr. Vivek Gupta, learned Advocate, leave is granted to the Applicants to withdraw the present Criminal Application with liberty as prayed for.

7. If such Appeal is filed by the Applicants before the appropriate Court, the same be considered on its own merits after affording an opportunity of hearing to the parties and in accordance with law.

8. Criminal Application No. 330 of 2026 is disposed of as withdrawn.

[ASHWIN D. BHOBE, J.]

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