

**Court No. - 80**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 7245 of 2002

**Petitioner :-** Tribhuwan Nath Tewari And Others

**Respondent :-** State of U.P. and Another

**Counsel for Petitioner :-** Rajiv Sharma,Pankaj,Ram Krishna Dubey

**Counsel for Respondent :-** Govt. Advocate,Kusum Lata,P.K.Pandey,R.K. Pandey

**Hon'ble Subhash Chandra Sharma,J.**

Rejoinder affidavit filed by learned counsel for the petitioners is taken on record.

Learned counsel for both the parties as well as learned A.G.A. are present.

It is submitted by learned counsel for the petitioners that in this case the respondent No. 2 has died. His legal representative has filed counter affidavit making statement that she does not want to prosecute the case, therefore case may be withdrawn with direction to file withdrawal application before the learned court.

Learned counsel for the respondent also states that she want to withdraw the case and she be permitted to withdraw the case.

Learned A.G.A. has no objection in this regard.

Considering the facts and circumstances of the case, submission made by learned counsel for both the parties as well as learned A.G.A. for the State, perusal of record, it appears that, since the respondent is ready to withdraw the case which can be done under Section 257 Cr.P.C. before the learned court concerned.

Accordingly, this petition is dismissed as withdrawn with liberty to the parties to file withdrawal application before the learned court concerned under Section 257 Cr.P.C. which can be heard and decided by the learned court in accordance with law.

Accordingly, this writ petition is ***disposed of*** finally.

**Order Date :-** 8.11.2023

Suraj Srivastav