

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

CRIMINAL WRIT PETITION NO. 554 OF 2014

Sumersing @ Komal Durgasing Patil
and others

...Petitioners

Versus

The State of Maharashtra and another

...Respondents

.....
Shri. P. S. Paranjape, Advocate for the petitioners
Shri. Vijay B. Patil, Advocate for respondent No. 2
Shri. U. S. Mote, APP for respondent/State
.....

**CORAM : SMT. SADHANA S. JADHAV, J.
DATED : MARCH 31ST, 2015.**

PER COURT:-

. Heard respective Counsel.

2. Mr Vijay Patil, learned Counsel submits that respondent No. 2 herein, who happens to be the original complainant, has filed an affidavit of evidence in Misc. Application No. 16 of 2014, pending before the learned Judicial Magistrate First Class at Jalgaon (in short 'JMFC'). That, the cross-examination of the complainant has completed. .

3. In view of above, learned Counsel for the petitioners seeks liberty to withdraw the petition.

4. Liberty, as prayed for, is granted in the interest of justice.

5. Learned JMFC shall not be influenced by the withdrawal of this petition and shall proceed with the matter in accordance with law.

6. The learned Counsel for the petitioners submits that the petitioners herein would file an application seeking exemption from appearance in the course of recording evidence. In the eventuality that such an application is filed the learned JMFC shall consider the application on its own merits and decide the same as early as possible without being influenced by the withdrawal of this petition.

7. Writ Petition stands dismissed as withdrawn.

(SMT. SADHANA S. JADHAV, J.)