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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 523 OF 2013**

Imtiaz Ahmed Abdul Rashid Shaikh and anr. ... Applicants

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Anand Upadhyay i/by Mr.A.M. Saraogi for the applicants.

Mr. Sandeep Dere for respondent no. 2.

Smt. P.P. Bhosale, A.P.P. for State.

**CORAM : M.L. TAHALIYANI, J.
DATED : MARCH 31, 2015**

P.C.

Learned counsel for respondent no.2 states that the respondent no.2 may be permitted to withdraw the proceedings pending before the Magistrate and she may be given a liberty to file fresh proceedings on the grounds other than the grounds mentioned in the present proceedings.

2. Since respondent no.2 is ready to withdraw the proceedings before the learned Magistrate, it is directed that the proceedings before the learned Magistrate shall stand withdrawn by this order itself.

3. Liberty is given to respondent no.2 to file fresh proceedings on the grounds other than the grounds mentioned in the proceedings pending before

the Magistrate.

4. It is not necessary to state that respondent no.2 is always at liberty to move appropriate court to protect her rights in the property.

5. In view of what has been stated by me hereinabove, the present criminal application does not survive and the same is accordingly disposed of.

(JUDGE)