

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION No.2864 of 2015

Tulshiram Khandu Pawashe .. Petitioner
Versus
The State of Maharashtra & Anr .. Respondents

Mr.Satyavrat Joshi, Advocate for the petitioner.

Mr.Deepak Thakre, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 7th AUGUST, 2015

P.C. :

1 Heard Mr.Satyavrat Joshi, learned counsel for the petitioner.

2 The petitioner is one of the accused in Special Case No.11/14 pending on the file of the Special Judge (under the Prevention of Corruption Act), Kalyan. He is aggrieved by the order issuing process as passed by the learned Special Judge as, according to him, the cognizance of the offence allegedly committed by him could not have been taken. According to the petitioner, the sanction to prosecute him, as required under section 19 of the Prevention of Corruption Act has not been granted by the competent authority.

3 When it is pointed out that the petitioner can very well raise this contention before the learned Special Judge himself, who shall be bound to decide the same in accordance with law., Mr.Joshi, on instructions from the petitioner who is present in Court, seeks permission to withdraw the petition.

4 Petition is allowed to be withdrawn and stands dismissed as such, with liberty to the petitioner to raise all the contentions taken in the petition before the learned Special Judge.

5 Such contentions, shall be decided expeditiously by the learned Special Judge and preferably within a period of six months from the date on which they are raised before him.

(ABHAY M.THIPSAY, J)