

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO. 641/2015.

Shankarlal Babulal Agnihotri

-VERSUS-

The State of Maharashtra and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : **B.P. DHARMADHIKARI**
& V.M. DESHPANDE, JJ.

DATE : **NOVEMBER 17, 2015.**

Heard learned Counsel for the parties.

2. Shri U. Dastane, learned counsel appearing on behalf of respondent no.2 submits that he shall be moving an application for withdrawing the application under Section 93 of the Criminal Procedure Code, filed before the learned Magistrate, with a prayer that permission be granted to him to make necessary application before the learned Magistrate.

3. In view of such statement, Shri Anand Parchure, learned counsel for the petitioner submits that he does not want to prosecute the present Writ

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Petition any further. He however submits that all contentions raised in the writ petition may be kept open.

4. In view of above, Criminal Writ Petition is allowed to be withdrawn with liberty to the parties as prayed aforesaid. Needless to mention that since the application under Section 93 of the Criminal Procedure Code stands withdrawn at the instance of respondent no.2, the orders passed by the learned Magistrate on such application cannot survive.

JUDGE

JUDGE

Rgd.