

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

CRIMINAL WRIT PETITION NO. 1421 OF 2015

MAHADEO S/O VISHWAMBHAR SHINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Petitioners : Mr Tripathi Manish P.

APP for Respondent 1 : Mr A R Kale

Advocate for Respondent 2 : Mr Choudhari Sushant B

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CORAM : V.K. JADHAV, J.

Dated: October 15, 2016

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PER COURT :-

1. The learned counsel for the petitioners, on instructions, seeks leave to withdraw this writ petition with liberty to raise all the points as raised in the present writ petition before the Additional Sessions Judge, Osmanabad in Sessions Case No.111 of 2008.

2. Leave granted. Writ Petition is disposed of as withdrawn with the liberty as aforesaid. All the points kept open.

3. This Court by order dated 22.10.2013 in Criminal Writ Petition No.1168/2011 remanded back the matter to the learned Additional Sessions Judge for deciding

whether or not, there are sufficient grounds for proceeding against the accused persons, or any of them, with respect to the offence punishable under section 201 of the Indian Penal Code. The learned Sessions Judge, Osmanabad by order dated 7.12.2013 in view of the aforesaid order issued notices to the complainant, DGP and the accused persons, returnable on 28.3.2014. However, even though, no interim relief was granted in the present writ petition, no progress is made in the said Sessions Case No.111/2008 pending before the Additional Sessions Judge, Osmanabad. In view of this, the learned Additional Sessions Judge, Osmanabad is hereby directed to comply with the orders passed by this Court vide order dated 22.10.2013 in Criminal Writ Petition No.1168/2011 at the earliest, as expeditiously as possible, and preferably within a period of SIX MONTHS from today.

(V.K. JADHAV, J.)

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aaa/-