

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO.160 OF 2017**

Bhimrao Atmaram Tayade & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

... Respondents

.....

- Mr.P.B. Kakade, Advocate for the Petitioners.
- Mrs.A.S. Pai, APP for the State/Respondent.
- Mr.N.W. Vaidya, Advocate for the Respondent No.2.

**CORAM : RANJIT MORE &  
SARANG V. KOTWAL, JJ.  
DATE : 04<sup>th</sup> AUGUST, 2017.**

**P.C. :**

1. The petition is filed for quashing the subject proceedings on merits. After hearing the learned counsel for the petitioners for some time, we find that the FIR cannot be quashed on merits. The learned counsel however states that the petitioner No.1 has now obtained divorce from the respondent No.2 and will file fresh petition for quashing subject proceedings by consent.

2. In the light of this, the learned counsel for the petitioners seeks leave to withdraw the petition with liberty to file fresh petition for quashing the subject proceedings by consent.

3. Leave with liberty granted.

4. Writ Petition stands dismissed as withdrawn.

**(SARANG V. KOTWAL, J.)**

**(RANJIT MORE, J.)**