

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.631 OF 2017

Roshan Dilip Patil

Petitioner

versus

State of Maharashtra and others

Respondents

Mrs.Teja Katdare with Sujay Gawade, Ajay Sharma i/by Shree & Co.
for petitioner.

Mr.K.V.Saste, APP, for State.

Ms.Alpa T. Javeri for Respondent no.2.

CORAM : RANJIT MORE AND
PRAKASH D. NAIK, JJ.

DATE : 6th October 2017

PC :

1. Heard learned counsel for the parties. The petition is filed for quashing the first information report being CR No.176 of 2016 registered at Sanpada Police Station, Navi Mumbai at the instance of respondent no.2 for the offences punishable under Sections 376, 323, 504, 506 of Indian Penal code and Sections 3(1)(W)(I), 2(2)(5), (5A) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The petition was filed initially for quashing by consent. However, when the matter was placed before this Court on 14th June 2017, learned APP pointed out that investigation into the subject first information report is already complete and they are likely to file appropriate report. In the light of the statement of learned APP, we deferred the hearing of the petition.

3. Learned counsel for petitioner now places on record the order dated 30th August 2017 passed by Additional Sessions Judge-I, Thane in subject CR. The order states that after hearing both sides, the learned Sessions Judge accepted the report submitted under Section 169 of Code of Criminal Procedure, 1973 and granted 'C' Summary. The order dated 30th August 2017 is taken on record and marked "X" for identification.

4. In the light of above, learned counsel for petitioner submits that nothing survives in the petition for consideration. She accordingly seeks leave to withdraw the petition. Leave granted. The petition is dismissed as withdrawn.

(PRAKASH D. NAIK, J.)

(RANJIT MORE, J.)

MST