

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

CRIMINAL WRIT PETITION NO.927 OF 2017

Inderjeet Kumar ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

Mr.E.B.Dixit i/b Mr.Ramesh Tripathi, for the Petitioner.

Ms.A.S.Pai, A.P.P. for the Respondent-State.

Mr.Harshad Shingnapurkar i/b N.P.Shukla, for the Respondent No.2.

***CORAM : RANJIT MORE &
REVATI MOHITE DERE, JJ.***

DATE : 7th MARCH, 2017

P.C. :

1. Heard.
2. The petition is filed seeking cancellation of Non-bailable Warrant. The petitioner has also sought consequential directions.
3. When we raised an objection regarding the maintainability of the petition, the learned counsel for the petitioner stated that the petitioner

had made an application before the learned Metropolitan Magistrate, however, the same was not taken on board. He submitted that the petitioner is ready and willing to make a fresh application before the learned Metropolitan Magistrate and that a direction be given to the learned Metropolitan Magistrate to dispose of the same expeditiously.

4. Subject to the above, learned counsel for the petitioner seeks leave to withdraw this petition.

5. In the above circumstances, we grant leave to withdraw the petition with liberty to make a fresh application before the learned Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai, for cancellation of the NBW.

6. If such an application is made by the petitioner within a period of one week from today, the learned Metropolitan Magistrate shall consider the same on its own merits and pass appropriate orders, as expeditiously as possible and in any event within one week from the date of filing of the application.

7. It is made clear that we have not gone into the merits of the matter and all contentions of the parties are kept open.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

RANJIT MORE, J.