

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

CRIMINAL WRIT PETITION NO.1556 OF 2017

Rajendra Daji Jadhav

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Ms Aanushka A. Shreshtha for the Petitioner.

Mrs. V.S. Mhaispurkar, APP for the Respondent Nos.1 to 5-State.

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 3rd NOVEMBER, 2017.

P.C.:-

The Petition is filed for seeking directions to register offence on the basis of Petitioner's complaint.

2. The learned APP pointed out that cause of death of the deceased Rajani was enquired into and found that she had died due to jaundice. She submits that no cognizable offence was made out in the said case.

3. In the light of above, the learned counsel for the Petitioner, upon instructions, seeks leave to withdraw the Petition with liberty to

approach concerned Magistrate by way of a private complaint in respect of the grievance raised in the Petition. Leave with liberty as prayed for is granted.

4. The Petition is dismissed as withdrawn.

5. It is made clear that we have not gone into the merits of the matter and the concerned Judicial Magistrate shall decide the Petitioner's complaint in accordance with law. All points and contentions are expressly kept open.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)