

WRIT PETITION NO. 2354 OF 2017

- Ms.Sushma T. Mishra for the Petitioners.
- Ms.S.D. Shinde, A.P.P. for the Respondents-State.

DATE : 23rd NOVEMBER, 2017.

3] Learned counsel for the Petitioners submits that the Petitioners have already been released on bail before invocation of the provisions of MCOC Act. However, subsequent to invocation of provisions of MCOC Act, the prosecution has filed Application for

cancellation of the bail and therefore, the Petitioners are constrained to approach before this Court.

4] Learned A.P.P. fairly states that the Petitioners can advance the arguments relating to invocation of the MCOC Act before the learned Sessions Judge in Application for cancellation of bail. The Statement is accepted.

5] In the light of the above, learned counsel for the Petitioners seeks leave to withdraw this petition with liberty to oppose the application filed by the prosecution for cancellation of the bail in subject crime on the ground that invocation of provisions of the MCOC Act is incorrect. Leave with liberty as prayed for granted.

6] Writ Petition is, therefore, disposed of as withdrawn.

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

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]