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

WRIT PETITION NO.3747 OF 2015

Jagruti Ashish Kothare
knee name Jagruti D. Dave ... Petitioner

V/s.

The State of Maharashtra
and anr ... Respondents

Mr. B. V. Mahadik, for the petitioner.
Mrs. A. S. Pai, APP for the Respondent State.
Mrs. Anjali Purav for respondent No.2.

**CORAM : RANJIT MORE &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 20th NOVEMBER, 2017.

P.C. :

1] After having learned counsel for the petitioner for some time, he seeks leave to withdraw the petition with liberty to apply in the trial Court for discharge, in case charge sheet is filed.

2] Leave with liberty as prayed for is granted.

3] Petition is dismissed as withdrawn.

4] It is made clear that we have not gone into the merits of the matter and all points and contentions raised by respective parties are expressly kept open.

5] In the event, if such discharge application is filed by the petitioner, the learned Magistrate shall decide the same in accordance with law independently on its own merits.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]