

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

CRIMINAL WRIT PETITION NO.3962 OF 2015

Vijay Bhoja Shetty : Petitioner.

Versus

Vasant Bhoja Shetty and ors. : Respondents.

Mr. Nitin Pradhan i/by Ms. Shubhada D Khot for the Petitioner.

Mrs. S D Shinde, APP for the Respondents/State.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE JJ.**

DATE : 21st AUGUST, 2016

PC.

1 The learned counsel appearing on behalf of the Petitioner Shri Nitin Pradhan draws our attention to the letter dated 29/12/2016 addressed to the Complainant Vasantha Bhoja Shetty by the Inspector of Police, General Cheating, III E.O.W. Mumbai. After referring to the antecedent facts, in the last paragraph of the said letter it is stated to the following effect :-

“Hence, considering all above facts, circumstances and comparing all statements, documents we are closing the Preliminary Enquiry No.PE.99/2015 pending with General Cheating, EOW, Mumbai until the Hon. City Civil Court's decision comes out.”

The said letter can be said to have its basis in the report dated 26/12/2016 of the Inspector of Police, Gen. Cheating-II, EOW, Mumbai.

At point 93 it is mentioned to the following effect :-

“Considering all above facts, circumstances and comparing all statements the undersigned is of the opinion of closing the P.E.99/2015 until the court's decision comes out.”

In view of the fact that the said Preliminary Enquiry being No.99 of 2015 has now been closed by the police until the Civil Court's decision is rendered, the learned counsel appearing for the Petitioner Shri Nitin Pradhan seeks withdrawal of the above Criminal Writ Petition with liberty to file appropriate proceedings if the occasion so arises in future. The above Criminal Writ Petition is accordingly allowed to be withdrawn and dismissed as such with liberty as prayed for.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]