

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

WRIT PETITION NO. 3969 OF 2017

Mr. Pranab Kumar Das

....Petitioner

Versus

The State of Maharashtra & Anr.

....Respondents

Mr. Ashish S. Chavan for the petitioner.

Mr. Y.M. Nakhwa, APP for the State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 28th NOVEMBER, 2017

P.C. :

1. The petitioner herein has challenged the order dated 08th August, 2014 in C.C. No. 1319/SS/2010 whereby the learned Metropolitan Magistrate, 58th Court, Bandra, Mumbai has issued process under Section 138 of Negotiable Instrument Act.

2. Considering the fact that the petitioner has not availed an alternative efficacious remedy, Mr. Ashish S. Chavan, learned counsel for the petitioner, seeks leave to withdraw the petition with liberty to file revision application before the Sessions Court with an application for condonation of delay, if necessary.

3. Leave with liberty is granted. Writ Petition No. 3969 of 2017 is dismissed as withdrawn.

(SMT. ANUJA PRABHUDESSAI, J.)