

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**Criminal Writ Petition (WP) No. 597 of 2009**

(Moreshwar Isnaji Wasekar and another V/s State of Maharashtra and others)

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Office Notes, Office Memoranda of Coram,  
 appearances, Court's orders or directions  
 and Registrar's orders

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Court's or Judge's orders.

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Shri S.P Bhandarkar, Advocate for Petitioner.  
 Shri N.D Thombre, Advocate for Respondent no.2.  
 Shri S.D Sirpurkar, A.P.P. for Respondent-1,3 and 4.

**CORAM :   R.K. DESHPANDE, J.**

**DATE   :   10/10/2017**

Heard.

Respondent No.2-Natthu s/o Kashiram  
 Waghe has filed a pursis bearing Stamp No.  
 4155/2017 dated 06/10/2017, the contents of which  
 are reproduced below:-

**“Pursis**

*That the Respondent No.2 named above  
 most respectfully submits as under :-*

1.        *That, the Petitioners have  
 challenged the Complaint filed by this  
 Respondent No.2 under Section 200 of the  
 Criminal Procedure Code and the Order  
 dated 28/10/2009 passed by the Learned  
 Judicial Magistrate, First Class, Chimur in  
 Complaint No.135/2009.*

2. *That, this Hon'ble Court admitted the said Writ Petition and the same is listed for final hearing.*

3. *That, the Respondent No.2 further submits that he do not want to proceed with the Criminal Complaint No. 135/2009 filed before the Learned Judicial Magistrate First Class at Chimur, District: Chandrapur. The Complainants further undertakes to withdraw the same by filing appropriate application. In view of this, the Writ Petition may kindly be disposed of with liberty to the Respondent No.2 to withdraw the Criminal Complaint No.135/2009.*

*Hence this pursis.*

*NAGPUR*

*DATE :06/10/2017*

*Sd/-*

*Respondent No.2*

*(N.D. Thombre)*

*Advocate*

*Counsel for Respondent No.2"*

The learned counsel appearing for the respondent No.2 submits that the pursis is signed by the respondent No.2, and for identification of his signature, the counsel has also signed the pursis.

Shri S.P. Bhandarkar, the learned counsel appearing for the petitioner, submits that if the

undertaking given in the aforesaid pursis is executed, nothing survives in this petition.

Hence, the petition is disposed of as infructuous unless there is a further complaint of failing compliance of the undertaking given in the pursis.

Rule stands discharged. No order as to costs.

**JUDGE**