

CRIMINAL WRIT PETITION NO. 1358 OF 2018

Natubhai Patel ... Petitioner

Versus

Union Territory of Dadra & Nagar Haveli ... Respondents
and Anr.

Mr. Mahesh Jethmalani, Senior Advocate I/by Gunjan Mangla for
Petitioner.

Ms. P. H. Kantharia, PP a/w Deepali Patankar for Respondent No.1.

Mr. Y. Y. Dabke, APP for State.

CORAM : NITIN W. SAMBRE, J.

DATE : APRIL 06, 2018.

P.C. :

After hearing the learned Senior Counsel Mr. Mahesh Jethmalani for sometime, whose arguments are resisted by the learned Public Prosecutor Ms. Kantharia, since this Court is not inclined to go into the merits of the matter, he makes a motion for withdrawal of the Writ Petition.

2. The Writ Petition is disposed of, as withdrawn.

3. Liberty is granted to the Petitioner to raise plea of framing of vague charge and whether simultaneous prosecution qua offence under

Section 307 and 109 of the Indian Penal Code can go ahead when the Applicant/Accused is already facing the trial for an offence under Sections 307 and 149 of the Indian Penal Code, in view of the law laid down by the Apex Court in the matter of ¹*Wakil Yadav and Another V/s State of Bihar*.

(NITIN W. SAMBRE, J.)

¹ (2000) 10 Supreme Court Cases 500