

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

WRIT PETITION NO. 3169 OF 2018

Mr. Diego G. Mathias

...Petitioner

V/s.

The State of Maharashtra & ors.

... Respondents

Mr. S.A.Sawant with J.S.Kadam i/by S.K.Sherikar for the petitioner.

Smt.Veera Shinde, APP.for the State.

Mr.K.M.Sangani for Repsondent No.3.

CORAM : A.S.GADKARI, J.

DATE : 10th September, 2018

P.C.:

1. The petitioner has challenged the impugned Order dated 10.4.2018 passed by the learned Special Judge MPID Act, City Civil and Sessions Court, Mumbai. Under Section 18(2) of the MPID Act a substantive appeal is maintainable.

2. In view thereof, the learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file a substantive appeal.

Leave and liberty granted.

3. Disposed off as withdrawn with the aforesaid liberty.

4. It is needless to mention that, the petitioner is entitled to claim benefit under Section 14 of the Limitation Act if applicable.

(A.S.GADKARI, J.)