

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4215 OF 2017**

**Mr. Deepak Deshpande
Vs.
The State of Maharashtra**

**..Petitioner

..Respondent**

**Mr. Karan Kadam i/b Ms Mrunmai Kulkarni for the Petitioner
Mr. P. D. Gharat, Special P.P. a/w Mr. K. V. Saste Addl PP for the Respondent
State**

**CORAM :R. M. SAVANT, &
SARANG V KOTWAL,JJ
DATE : 27th MARCH, 2018**

P.C.

1 The above Petition was argued for sometime yesterday i.e. 26-3-2018, by the Learned Counsel for the Petitioner and was adjourned for today so as to enable the Learned Counsel for the Petitioner to obtain instructions as regards withdrawal and to pursue the remedy of discharge which remedy has already been invoked by the Petitioner.

2 Today the Learned Counsel Mr. Kadam states that the Petitioner would not press the above Petition but would pursue the remedy of discharge and would also raise the issue of prior sanction under Section 197 of the Cr.P.C. by seeking an amendment in the said discharge application. The Learned Special Public Prosecutor Mr. Gharat states that the State would not object to such an amendment being carried out in the discharge application already filed. The concerned Court is directed to decide the said discharge

application expeditiously by dealing with the issues that are raised or would be raised by the Petitioner in the said application.

3 With the aforesaid observations, the Writ Petition is allowed to be withdrawn to pursue the remedy by way of discharge.

[SARANG V. KOTWAL, J]

[R.M.SAVANT, J]