

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

CRIMINAL WRIT PETITION NO. 3563 OF 2019

Michael Gabriel

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Abhijeet Desai a/w. Ms. Kishori Kelkar, Ms. Nilofer Sayed i/b. Ms. Sweta R. Rathod & Mr. Prashant Mairale for Petitioner.

Mr. J.S. Kini i/b. Ms. Sapna S. Krishnappa for Respondents No. 2 to 6.

Mr. A.R. Patil, APP for Respondent – State.

CORAM : S.S. SHINDE, J.

DATE : 30th AUGUST 2019

P.C.:

1. Learned counsel appearing for the Petitioner on instructions seeks permission to withdraw the petition, so as to avail remedy of revision before the Sessions Court. Leave granted. Writ Petition is dismissed as withdrawn.

2. Needless to observe that, in case the Petitioner files revision and there is delay in that case the concerned Court shall keep in view that, the Petitioner under bonafide impression was prosecuting this petition and liberally construe the prayer for delay, if any, in fling the revision.

3. Learned counsel appearing for the Petitioner on instructions submits that, the Petitioner will file the revision within 10 days from today. In case such revision is filed, the concerned Court to decide the same on its own merits and after affording opportunity to the affected parties as expeditiously as possible, however, within six weeks from filing such revision.

(S.S. SHINDE, J.)