

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
WRIT PETITION NO.5066 OF 2018**

Premkumar Prabhunath Prasad .....Petitioner  
Versus  
The State of Maharashtra & Ors. ....Respondents  
Mr. Pravin Singhal, Advocate for the Petitioner.  
Mr. F.R. Shaikh, APP for the Respondent-State.

**CORAM : RANJIT MORE &  
N.J. JAMADAR, JJ.**

**DATE : 27<sup>th</sup> AUGUST, 2019.**

**P. C. :**

Mentioned for production. Taken up on production board in view of urgency.

2. Learned counsel for the petitioner, on instructions from his client, seeks leave to withdraw the petition with liberty to challenge the order dated 26.12.2012 passed by the Railway Mobile Court, Andheri, Mumbai in C.C.No.261/PW/2012 by way of appropriate proceedings. Leave with liberty as prayed for, is granted. The petition is dismissed as withdrawn.

3. It is made clear that we have not gone into the merits of the matter and all rights and contentions of the respective parties are kept expressly open to be agitated before the appropriate authority. In the event, discharge application is filed by the petitioner, the same shall be decided independently on its own merits and in accordance with law.

**[N.J. JAMADAR, J.]**

**[RANJIT MORE, J.]**