

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

7 APPLICATION FOR CANCELLATION OF BAIL NO.92 OF 2020

SHIVAJI @ DAMODAR DATTOPANT KULKARNI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. G.S. Shete, Advocate for applicant
Mr. S.W. Munde, APP for respondent No.1

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CORAM : SMT. VIBHA KANKANWADI, J.
DATE : 26th OCTOBER, 2020

PER COURT :

1 After disinclination is shown learned Advocate for the applicant seeks withdrawal of the application, on instructions, with liberty to approach appropriate Court. He submits that though he has provided pieces of evidence, yet, the police are not taking cognizance of the same in proper perspective. Definitely the remedy is elsewhere and not under Section 439(2) of the Code of Criminal Procedure as he wants to point out the police inaction against unknown persons, who stated to have been involved in the offence. Under such circumstance, he is allowed to withdraw the application with liberty to approach appropriate Court to appropriate remedy.

(Smt. Vibha Kankanwadi, J.)