

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

CRIMINAL WRIT PETITION NO. 2387 OF 2021

Jaiprakash Suresh Dhamejani

..Petitioner

Versus

The State of Karnataka & Ors.

..Respondents

Ms. Aisha Ansari for Petitioner.

Mr. J. P. Yagnik, APP for State/Respondent No.5.

**CORAM : NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.**

DATE : 17 DECEMBER 2021

P.C. :

. Heard the learned counsel for the parties.

2. The Petition was heard extensively on the last date and it was placed today. The learned Additional Solicitor General for the Respondent No.1 had taken preliminary objection to the prayer of the Petitioner to challenge the order of detention passed by the State of Karnataka contending that the Petitioner should file the Petition in Karnataka High Court.

3. The Petitioner has made two fold challenges in this Petition. The first challenge is to the order of detention dated 13

September 2019 issued by the Additional Chief Secretary, Government of Karnataka – Respondent No.1 and second challenge is to SAFEMA proceeding initiated against the Petitioner by the competent authority at Mumbai.

4. The learned counsel for the Petitioner states that, the challenge to order of detention dated 13 September 2019 will not be pressed in this court and the Petitioner will only challenge SAFEMA proceeding initiated by the competent authority at Mumbai in this Court. In the light thereof, the learned counsel for the Petitioner seeks leave to withdraw the Petition with liberty to file a Petition to challenge the proceeding initiated against the Petitioner under SAFEMA proceeding by the competent authority at Mumbai.

5. Leave to withdraw the Petition is granted for the purpose stated by the learned counsel for the Petitioner. It is made clear that this is not a leave to challenge the order of detention dated 13 September 2019 in this Court. The contentions of the Respondent including maintainability of such challenge are kept open.

6. The Writ Petition is accordingly disposed of as withdrawn as above.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)