

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

CRIMINAL WRIT PETITION NO.1758 OF 2021

Shyamsundar Radhyesham Agrawal Petitioner

V/s.

State of Maharashtra & Ors. Respondents

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- Mr.Jitendra Pathade, Advocate for Petitioner.
- Mr.Dilip Shukla, Advocate for Respondent No.3.
- Ms.S.D. Shinde, APP for the State/Respondent.

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

DATE : 11 OCTOBER 2021

P.C. :

The learned counsel for the Petitioner states that the Petition was filed primarily on the ground that the Respondent/ complainant is agreeable for quashing of the FIR by consent. The learned counsel for the Petitioner states that he has now received instructions to withdraw the Writ Petition and seek quashing of the FIR on merits.

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2. The learned counsel for the Respondent No.3 states that since the Petitioner has chosen to proceed with the matter on merits, the Respondent No.3 be relieved of the consent placed on record by him in this Writ Petition. In view of the fact that the matter will be now examined on merits and not on consent, Respondent No.3 is relieved of the statements made in the affidavit filed in this Petition regarding his consent and the same consent affidavit will not be acted upon.

3. With this clarification, Writ Petition is disposed of with liberty as prayed.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)