

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

CRIMINAL WRIT PETITION NO.2715 OF 2019

Harish Roshanlal Malhotra

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Brijesh K. Rathod i/b M/s. V. K. Dubey Associates for the Petitioner

Mr. S. S. Hulke, A.P.P for the Respondent–State

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO CONFERENCING)
THURSDAY, 12th AUGUST 2021

P.C. :

1 Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file an appropriate application seeking withdrawal of the amount of Rs. 42,00,000/- deposited by the respondent Nos. 2 and 3 in case No. 2697/PW/2017. Learned counsel for the petitioner does not dispute the fact that no application was filed by the petitioner before the Sessions Court seeking withdrawal of the amount.

2 In view of the aforesaid, the petitioner is permitted to withdraw the petition with liberty to file an appropriate application for withdrawal of

the aforesaid amount deposited by the respondent Nos. 2 and 3 in the said case, as per order dated 16th November 2016 passed in Anticipatory Bail Application No. 1182/2016 by the learned Sessions Judge, Mumbai.

3 If such an application is filed, the learned Judge to decide the same on its own merits, uninfluenced by the withdrawal of this petition. All contentions of all parties are kept open.

4 Writ petition is disposed of on the aforesaid terms.

REVATI MOHITE DERE, J.