

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

CRIMINAL APPEAL NO.456 OF 2020

Rajendra Eknath Wagh & Ors.	...Appellants
V/s.	
The State of Maharashtra & Anr.	...Respondents

Mr. Harshwardhan Salgaonkar, Advocate for Appellants.
Mr. A. R. Patil, APP for Respondent No.1 (State).

CORAM : A. S. GADKARI, J.
DATE : 7th APRIL, 2021.

P.C. :

1. In pursuance of Order dated 24th March 2021, the Investigating Officer Shri. Shashikant Shinde, Dy.S.P., Malegaon, District Nashik (Rural), is personally present in the Court. He has also filed Affidavit dated 3rd April 2021 tendering unconditional apology for not remaining present and not producing record of investigation on the earlier occasions. The explanation given by Mr. Shinde is accepted and the notice issued by Order dated 24th March 2021 is withdrawn.

2. After hearing learned counsel for the Appellants at length and perusing the papers of investigation, when this Court expressed its disinclination to grant relief, learned counsel on instructions, seeks leave to withdraw the present Appeal with liberty to surrender before the

Additional Sessions Judge-3 Malegaon, District Nashik, on or before 11.30 a.m. of 16th April 2021.

3. Leave and liberty granted.
4. Appeal is dismissed as withdrawn, with aforesaid liberty.
5. In the event, the Appellants surrender before the concerned Court within the stipulated period, learned Sessions Judge-3, Malegaon, District Nashik, is requested to consider the Application of the Appellants for bail on its own merits, without being influenced by the present Order.

(A. S. GADKARI, J.)