

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

966 CRIMINAL WRIT PETITION NO.681 OF 2019
KAUSHALYABAI W/O. MUNJAJI SURYAWANSHI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioners: MS. Jain Madhuri B.

APP for Respondent No.1: Mr. S. D. Ghayal

Advocate for Respondent No.2: Mr. N. B. Jadhav

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**CORAM: SARANG V. KOTWAL &
BHARAT P. DESHPANDE, JJ.**

DATE: 05th JULY, 2022

PER COURT:

1. Learned Counsel for the Petitioners states that both the Petitioners had earlier approached this Court vide Criminal Application No.5888 of 2014, for the same subject matter however, the Application on their behalf was not pressed and, therefore, it is rejected.

In that view of the matter, we are not inclined to entertain this Petition, because there is no change in circumstance on merits of the matter.

Learned Counsel for the Petitioner submitted that Petitioner No.2 is suffering from Paralysis. She submitted that both the Petitioners

will file Application for discharge. She does not press this Petition on this occasion.

2. Considering this request, Petition is allowed to be withdrawn. Petitioners are at liberty to prefer an Application for discharge. If such an Application is preferred, it shall be decided expeditiously in accordance with law. Considering that Petitioner No.2 is suffering from Paralysis, the Trial Court shall consider this fact sympathetically and consider his prayer for exemption. With these observations, the Petition is disposed of.

[BHARAT P. DESHPANDE, J.] [SARANG V. KOTWAL, J.]

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