

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

34 CRIMINAL APPLICATION NO.3257 OF 2021

SWAPNIL KISHOR BIRHARI  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

.....  
Advocate for Applicant : Mr. Chaudhari Deepak D.  
APP for Respondent-State: Mr. S. S. Dande  
.....

**CORAM : V. K. JADHAV AND  
SANDIPKUMAR. C. MORE, JJ.  
DATED : 24<sup>th</sup> JANUARY, 2022**

**PER COURT:-**

1. Learned counsel for the applicant, on instructions, seeks leave to withdraw this application with liberty to the applicant to file an application for discharge before the trial court in the pending case.
2. Leave granted. The application is hereby dismissed as withdrawn with liberty to the applicant-accused to file an application for discharge before the trial court if the charge is yet not framed.

**(SANDIPKUMAR. C. MORE, J.)**

**(V. K. JADHAV, J.)**

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