

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

CRIMINAL WRIT PETITION NO.1535 OF 2017

ABDUL RAHEMAN ABDUL WAHAB INAMDAR
AND ANOTHER

..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. H. P. Jadhav, Advocate for the Petitioner.

Mr. P. K. Lakhotiya, APP for Respondents-State.

Mr. S. G. Kawade, Advocate for Respondent No.2.

Mr. Satej S. Jadhav, Advocate for Respondent No.3.

...

CORAM : SARANG V. KOTWAL

AND

BHARAT P. DESHPANDE, JJ.

DATED : 11th JULY, 2022.

PER COURT:-

1. Learned APP submits that, pursuant to the order dated 11.10.2018 this Court had stayed filing of the charge-sheet, but the investigation went on and it is complete. Because of the earlier order, the charge-sheet could not be filed. He submitted that there is sufficient material against the petitioner.

2. Without commenting on the merits of the matter, since learned counsel for the petitioners prays for withdrawal of this petition with liberty to approach this Court again after the charge-sheet is filed, we are passing the following order:

ORDER

- a. The investigating agency is permitted to file charge-sheet before the Competent Court.
 - b. After the charge-sheet is filed, if petitioners think fit, they can file a fresh petition with reference to the investigation carried out and which is reflected in the charge-sheet.
 - c. If any such writ petition on application is preferred for quashing on the basis of charge-sheet, it shall be decided on its own merits, in accordance with law.
 - d. With this liberty the application is allowed to be withdrawn. It is made clear that, we have not expressed any opinion on the merits of the matter. All the questions are specifically left open.
3. Writ Petition is disposed of.

(BHARAT P. DESHPANDE)
JUDGE

(SARANG V. KOTWAL)
JUDGE