

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2430 OF 2013**

Rekha Rajendra Konde

.....Petitioner

Vs.

The State Of Maharashtra & Ors.

.....Respondents

Mr. Prashant Patil for the Petitioner.

Mr. S.S. Hulke APP, for the Respondent-State.

Mr. Abhishek Nandimath i/by Mr. Umesh Mankapure for the Respondent No.2.

Mr. Gaurav Sharma a/w Mr. Siddharth Shitole i/by Mr. A.M. Kulkarni for the Respondent No.3.

CORAM : A. S. GADKARI, J.**DATE : 8th JULY, 2022.****P.C.:-**

Heard learned counsel appearing for the respective parties.

2 During the course of arguments, learned counsel for the Respondent No.2 i.e. Accused No.1 submitted that, the contention of the learned Advocate for the Petitioner that, whatever stated in the second part of para No.5 are the observations of the Court, is not correct. He submitted that, para No.5 is the argument advanced by the learned counsel for the Accused No.1 at the time of hearing of the Revision Application No.17 of 2012 and the same shall not be construed as observations made by the Trial Court. The statement made by the learned counsel for the Respondent N.2 -Accused No.1 is accepted.

3 After hearing learned Advocate for the Petitioner, when this Court was not inclined to interfere with the impugned Order, learned Advocate, on instructions, seeks leave to withdraw the present Petition with liberty to pursue the Complaint bearing R.C.C. No.281 of 2010 pending on the file of learned Judicial Magistrate, First Class, Miraj.

Leave and liberty granted.

4 Petition is disposed off, with aforesaid liberty.

Rule is accordingly discharged.

5 All the concerned to act on the basis of an authenticated copy of this Order.

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date: 2022.07.14
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