

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.449 OF 2018

Mohd. Naeem Mohd. Sayyed	]	Petitioner
Vs.		
The State of Maharashtra and another.]		Respondents

Mr. Virendra T. Dubey, for Petitioner.

Ms. M.H. Mhatre, A.P. P, for Respondent- No.1 - State.

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, J.J**

DATE : 13th SEPTEMBER, 2022.

P.C.

1. Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file an application seeking the petitioner's discharge from the case, having regard to the fact, that there is no material in the entire charge-sheet, showing the complicity of the petitioner.
2. Learned Counsel for the petitioner submits that the petitioner will file an application seeking his discharge from the said case within two weeks from today.
3. If an application seeking discharge is filed by the petitioner, the learned Judge to decide the said application expeditiously.

4. Learned Judge to decide the said application on it's own merits, uninfluenced by the withdrawal of this petition.

5. We make it clear that we have not gone into the merits of this petition, and as such, all contentions of the petitioner on merits are kept open.

6. Accordingly, petition is disposed of as withdrawn with liberty as prayed with the aforesaid observation.

[PRITHVIRAJ K. CHAVAN, J.]

[REVATI MOHITE DERE, J.]