

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO.3814 OF 2021

Nidhi Nagwanshi

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

Mr. Nikhil Mengade i/b Mr. Siddhikesh S. Ghosalkar, for the
Petitioner.

Ms. S. D. Shinde, A.P.P for the Respondent No.1– State.

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

DATE : 20th SEPTEMBER 2022

P.C. :

1. Heard learned counsel for the parties.
2. At the outset, the learned APP raises a preliminary objection. She submits that this case does not fall under the exceptional category, so as to entertain the present petition under Article 226 of the Constitution of India and under Section 482 of the Code of Criminal Procedure. She submits that it is open for the petitioner to file an appropriate application seeking her discharge from

the said case before the trial Court.

3. In view of the preliminary objection raised by the learned APP, the learned counsel for the petitioner seeks leave to withdraw this petition with liberty to file an appropriate application seeking discharge of the petitioner before the trial Court.

4. If such an application is filed by the petitioner, the same shall be decided within three months from the date of filing of the said application, uninfluenced by the withdrawal of the aforesaid petition.

5. Petition is accordingly disposed of as withdrawn with liberty as prayed, on the aforesaid terms. All contentions on merits are kept open.

All concerned to act on the authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.