

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

CRIMINAL WRIT PETITION NO. 3080 OF 2022

Azhar Shahnawaz Chikhlekar and Anr.

...Petitioners

Versus

The State of Maharashtra and Anr.

...Respondents

Mr.Vivek Punjabi, Advocate for the Petitioners.

Ms.M.H.Mhatre, APP for the Respondent No.1-State.

Mr.Vishal Patil, Advocate for the Respondent No.2.

**CORAM : REVATI MOHITE DERE &
S. M. MODAK, JJ.**

DATE : 14th OCTOBER 2022

P.C. :

1. After arguing for sometime, when the Court was not inclined to entertain the Petition under its inherent jurisdiction under Section 482 of the Cr.P.C., the learned counsel for the petitioners sought leave to withdraw the Petition, with liberty to file an appropriate application seeking the petitioners' discharge from the said case, before the trial Court.

2. The Petition is accordingly dismissed as withdrawn with liberty as prayed.

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3. If an Application for discharge is filed by the petitioners, before the trial Court, the learned Judge to decide the said Application on its own merits, uninfluenced by the withdrawal of the aforesaid Petition.

4. All contentions of the petitioners, on merits, are kept open.

S. M. MODAK, J.

REVATI MOHITE DERE, J.