

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2502 OF 2022

Swaminathan Venkatraman through its C.A.

Vaidyanathan Balkrishnan

Petitioner

versus

Ramesh Anant Prasad Bakshi and others

Respondents

Mr.Siddhesh Bhole with Ahmed Padela i/by SSB Legal & Advisory,
Advocates for petitioner.

Ms.Mallika Ingle, Advocate for respondent nos.1,2,3 and 6.

Mr.A.D.Kamkhedkar, APP, for State.

Mr.Anand Vaidyanathan, original complainant/petitioner, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 25th July 2022

PC :

1. The petitioner is the original complainant in C.C.No.505/SW/2014. Learned Magistrate vide order dated 10th May 2022 allowed withdrawal of the complaint unconditionally at the request of complainant. However, subsequently vide order dated 11th May 2022, the order was recalled and application for withdrawal was rejected. Perhaps the withdrawal order was recalled because the case was warrant triable.

2. The power of attorney holder of original complainant through whom present petition is filed, is present in Court. On his instructions, learned advocate for petitioner submits that without going into the legality of the order passed by by learned Magistrate, the petitioner-complainant be allowed to withdraw the proceedings filed before the Court of learned Magistrate. Learned counsel for

respondent nos.1,2,3 and 6 has no objection for withdrawal of the complaint.

3. In exercise of inherent power under Section 482 of Code of Criminal Procedure, since the complainant do not want to pursue the complaint and it is prayed that the complaint may be allowed o be withdrawal, the prayer for withdrawal of the complaint can be granted.

4. The complaint bearing C.C.No.505/SW/2004 is allowed to be withdrawn and stands disposed off. Writ Petition stands disposed off.

5. This order may be communicated to the Trial Court where the proceedings were pending.

(PRAKASH D. NAIK, J.)

MST