

Shiv

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

CRIMINAL WRIT PETITION NO.5209 OF 2021

Anil Shivaji Rawade	...Petitioner
Versus	
State of Maharashtra	...Respondent

None for the Petitioner.

Mrs. A.S. Pai P.P with Mr. J. P. Yagnik for the Respondent-State.

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

DATE : 12TH OCTOBER 2022

P.C. :

1. None for the petitioner.
2. Praecipe has been circulated by the learned counsel for the petitioner, for withdrawing the aforesaid petition. It is stated in the said praecipe, that during the pendency of the aforesaid petition, charge-sheet has been filed, and that the petitioner seeks leave to withdraw the petition, with liberty to file discharge application, before the appropriate Court.

3. Considering, what is stated in the praecipe, the petition is disposed of as withdrawn, with liberty as prayed.

4. If the application for discharge, is filed before the trial Court, the learned Judge to decide the said application, seeking discharge of the petitioner, on its own merits, uninfluenced by withdrawal of the aforesaid petition.

5. All contentions of the petitioner, on merits, are kept open.

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

S. M. MODAK, J.

REVATI MOHITE DERE, J.