

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.4049 OF 2019

Gopal Dagdu Lahange ... Petitioner
Vs.
State of Maharashtra and others ... Respondents

Mr. Abhishek Yende a/w. Ms. Surbhi Agrawal and Mr. Sagar Paspohe for
Petitioner.

Mr. S. D. Shinde, APP for Respondents-State.

**CORAM : S. S. SHINDE &
N. R. BORKAR, JJ.**

DATE : FEBRUARY 24, 2022

P.C. :

Learned counsel appearing for the petitioner, after arguing the petition for some time, on instructions, seeks permission to withdraw the petition with liberty to avail the remedy available under Section 156(3) of Cr.P.C. before the concerned Magistrate.

2. Leave granted.

3. Petition is dismissed as withdrawn with liberty to the petitioner to invoke jurisdiction of the jurisdictional magistrate under Section 156(3) of the Cr.P.C. for redressal of grievance raised in this petition.

4. Needless to observe that the concerned magistrate in adherence to the due procedure shall act upon the application that would be filed by the petitioner and make endeavor to decide the same as expeditiously as possible and in accordance with law.

5. We make it clear that we have not expressed any opinion on merits of the petition and it will be for the concerned judicial magistrate to look

into the said application on its own merits and decide the same in accordance with law.

(N. R. BORKAR, J.)

(S. S. SHINDE, J.)

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