

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.5277 OF 2019**

Dattatraya Sopan Kachare and others.] Petitioners

Vs.

State of Maharashtra and another.] Respondents

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Mr. Mithilesh Mishra i/b Mr. Mukund S. Mane, for Petitioners.

Mr. Y.M. Nakhwa, A.P. P, for Respondent No.1 -State.

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

DATE : 13th SEPTEMBER, 2022.

P.C.

1. Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file an application seeking petitioner's discharge from the said case, before the Trial Court.

2. The petition is accordingly disposed of as withdrawn with liberty as prayed.

3. At this stage, learned Counsel for the petitioner submits that the petitioner will file an appropriate application seeking petitioner's discharge before the trial Court, within three weeks from today.

4. If such application is filed, learned Judge to decide the said application as expeditiously as possible, before framing of charge on it's own merits, uninfluenced by the withdrawal of this petition.

5. Needless to state, all contentions of the petitioners on merits are kept open.

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

[PRITHVIRAJ K. CHAVAN, J.]

[REVATI MOHITE DERE, J.]