

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**906 CRIMINAL APPLICATION NO. 3357 OF 2023
IN
CRIMINAL APPEAL NO.14 OF 2020
WITH
CRIMINAL APPEAL NO. 14 OF 2020**

**ARIF YUSUF KHATIK
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. Satej Jadhav, Advocate for the applicant/appellant.
Mr. R.D. Sanap, A.P.P. for respondent No. 1 – State.
Mr. Vishal Chavan, Advocate for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 5th September 2023.

ORDER:-

1. The appellant / accused is present before the Court in person. He has filed application for withdrawal of the appeal, since he has already undergone the sentence of imprisonment imposed upon him by the learned trial Court and he is released on 07.08.2023. This Court, vide order dated 04.09.2023, has specifically directed to file such application. The release certificate is issued by the concerned Superintendent of Nashik Road Central Jail, however, it does not reflect anything that the applicant/accused has completed his sentence imposed upon him by the learned trial Court in Special Case No. 63/2016. However, in the application itself

the appellant/accused is claiming so. In view of the same, since the appellant/accused does not want to prosecute the appeal on the aforesaid reason, the same stands withdrawn and disposed of.

2 The application accordingly stands disposed of.

(SANDIPKUMAR C. MORE, J.)