

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 579 OF 2021**

Raheman @ Abdul Raheman Suleman Didbag & Ors ...Petitioners

Versus

The State Of Maharashtra

...Respondent

Mr.Raja Thakare i/by Mr.Bharat Manghani Advocate for Petitioners.

Mr. Anand S. Patil for Respondent No.2.

Mr. Ajay Patil, APP for Respondent-State.

API. Sunil K. Harugade, Ajara Police Station, Kolhapur is present.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 10th APRIL 2023.

P.C.:-

1. A photocopy of note of deceased Smt. Tahura Salim Didbag is handed over to the learned Senior Counsel for the Applicants and the Advocate for Respondent No.2 by the learned APP
2. Applicants are having substantive alternate remedy either by way of filing an application for discharge or to contest the Sessions Case No.19 of 2021 pending on the file of learned Additional Sessions Judge, Kolhapur.
3. In view thereof, the learned Senior Counsel for Applicants on instructions, seeks leave to withdraw present Application with liberty to file an Application for discharge as per the provisions of Cr.P.C. before the trial Court.

Leave and liberty granted.

4. Application is disposed off with aforesaid liberty.
5. It is made clear that, the present Application is disposed off on the ground of availability of alternate remedy as noted herein above and this Court has not expressed any opinion on the merits or issues involved in the present Application.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)