

Versus

1. The Senior Inspector of Police
 2. The State of Maharashtra
- ...Respondents

Mr. Inayat Ali Qureshi for the Petitioner.

Mr. V.B.Konde Deshmukh, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.
DATE : 27th APRIL, 2023

P.C. :

1. By this petition, the petitioners seek quashing and setting aside of the impugned notice dated **5th June, 2020, issued by the Byculla Police Station, Mumbai**, under Section 149 of the Criminal Procedure Code.

2. The petitioners have challenged the said notice on several grounds, including the ground, that the Police have no power to invoke Section 149 of the Criminal Procedure Code.

3. Learned APP, on instructions of Ashok Khot, Sr.PI attached to Byculla Police Station, states that the police have withdrawn the 149 notice issued by them.

4. Considering the statement made by the learned APP, on instructions i.e. the notice under Section 149 of the Criminal Procedure Code, has been withdrawn by the Police, nothing survives for further consideration in the aforesaid petition.

5. Accordingly, the petition stands disposed of.

SHARMILA U. DESHMUKH, J.

REVATI MOHITE DERE, J.