

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO. 296 OF 2016

Smeer Ikbal Shaikh and Ors. ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

Mr. Rajaram V. Bansode, for the Petitioners.

Mr. J. P. Yagnik, A.P.P for the Respondent Nos. 1 to 3.

Ms. Farhana Shah, for the Respondent No.4.

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

DATE : 17th JANUARY 2023

P.C. :

1. Learned counsel for the petitioners seeks leave to withdraw this petition, with liberty to file an appropriate application seeking the petitioners discharge from the said case, before the trial Court, since we are not inclined to withdraw the petition with the consent of the parties.

2. Petition is accordingly dismissed as withdrawn with liberty as prayed.

3. If an application for discharge is preferred by the petitioners (provided charge has not been framed till date), the learned Judge to decide the same, on its own merits, in accordance with law, uninfluenced by the withdrawal of the aforesaid petition.

4. Needless to state that, all contentions of all parties on merits are kept open.

5. All concerned to act on the authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.