

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 838 OF 2020**

Sachin Trimbakrao Walunj & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Dilip Bodake for the Petitioners.

Mr. Ajay Patil APP for the Respondent-State.

Ms. Ameeta Kuttikrishnan appointed Advocate for the Respondent No.2.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 19th JUNE, 2023.

P.C.:-

1) At the outset, learned APP on instructions submitted that, after completion of investigation of the present crime, police have submitted charge-sheet on 11th June, 2020 in the Court of J.M.F.C., Dindori, Tal. Dindori, District Nashik.

2) In view thereof, Mr. Bodake learned Advocate for the Petitioners on instructions from Petitioner No.1, who is personally present in the Court, seeks leave to withdraw the Petition with liberty to file an Application for discharge as contemplated under the provisions of Cr.P.C., before the trial Court.

Leave and liberty granted.

3) Petition is disposed off as withdrawn, with aforesaid liberty.

4) It is to be noted that, the Petition is disposed off on the ground of availability of alternate remedy and this Court has not adjudicated the issues involved in the present Petition. If the Petitioners files an Application for discharge, the trial Court is requested to decide the said Application for discharge on its own merits and not to get influenced by the fact of withdrawal of Petition.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)