

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3534 OF 2021**

Mohammad Jakir Kamaluddin Makarani

...Petitioner

Versus

The State Of Maharashtra

...Respondent

Mr. S. G. Kudle Advocate for Petitioner.

Mr. S. S. Hulke, APP for Respondent-State.

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**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 29th MARCH, 2023.****P.C.:-**

1. Learned Advocate for Petitioner submitted that, as the charge-sheet has now been filed by Police, the Petitioner will file an application for discharge as contemplated under the provisions of Cr.P.C. before the trial Court. He therefore, seeks leave to withdraw present Petition with liberty to adopt the said alternate remedy.

Leave and liberty granted.

2. Petition is disposed off as withdrawn with aforesaid liberty.

3. It is made clear that, this Court has not adjudicated the issues involved in the present Petition and the trial Court while deciding the said application will not get influenced by the fact of withdrawal of the present Petition on the aforesaid ground.

(PRAKASH D. NAIK, J.)**(A. S. GADKARI, J.)**