

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 231 OF 2023

Dr. Premshankar Vidhyadhar Bhatt .. Appellant
Versus
The State of Maharashtra and anr .. Respondents

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Mr. Mahendra Agavekar a/w Mr. Shraddha Chavan for the appellant.
Mr. S.R. Agarkar, APP for the State.
Mr. Sarvajeet Patil for Respondent No.2/original complainant.
Mr. Yogesh Patil, Mahatma Fule Chowk Police Station, Kalyan (w).

CORAM: BHARATI DANGRE, J.
DATED : 21st MARCH, 2023

P.C:-

1 Heard learned counsel Mr. Mahendra Agavekar, for the appellant and Mr. Sarvajeet Patil, for the complainant.

2 The learned APP, Mr. Agarkar raised a preliminary objection about the maintainability of the appeal filed under Section 14A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 by submitting that in an earlier round, Criminal Appeal No. 4 of 2022 filed by the appellants was dismissed and this order passed by the division bench of the High Court upheld by the Supreme Court and the SLP filed came to be dismissed.

The Supreme Court specifically expressed that the dismissal of the SLP and the reasons in the impugned order would not come in the way of the petitioner, when he apply for regular bail.

2 When confronted with the aforesaid objection, the learned counsel for the Appellant seek permission to withdraw the present appeal, to avail the remedy suggested to him by the Hon'ble Apex Court in its order dated 17/08/2022.

Permission granted. Appeal stands disposed off as withdrawn.

(SMT. BHARATI DANGRE, J.)