

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

CRIMINAL WRIT PETITION NO. 1018 OF 2005

Shashi Ruia & Ors.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

with

CRIMINAL WRIT PETITION NO. 1019 OF 2005

M/s. Essar Shipping Ltd.

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

with

CRIMINAL WRIT PETITION NO. 1021 OF 2005

Narendra Diggi

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Shirish Gupte, Sr. Advocate a/w. V. M. Thorat for Petitioners in
all W.Ps.

Mr. S. H. Yadav, APP for State/Respondent No.1.

CORAM : SARANG V. KOTWAL, J.

DATE : 5 OCTOBER 2023

PC :

1. In all these petitions, a common order passed by the
Metropolitan Magistrate, 32nd Court, Bandra, Mumbai in the
complaint No.72/M/2004, is challenged.

2. Learned senior counsel appearing for the petitioners tendered a copy of the order dated 17.11.2018 passed by the same Court, wherein, it is mentioned that the accused were discharged vide section 245(2) of the Cr.PC. from the alleged offence. The order mentioned C.C.No.200/SS/2004, however, the order also refers to Writ Petition No.1021 of 2005. Learned Senior counsel states that the number mentioned in the order is the subsequent number and it pertains to the same complaint which is the subject matter of the present writ petition. A copy of the said order is taken on record and marked 'X' for identification. Learned senior counsel submits that, in view of the said order, nothing further survives in this petition as the accused who are present petitioners are discharged from that case. The statement is recorded and accepted. Nobody appears for the Respondent No.2.

3. Therefore, all these petitions are disposed of as having rendered infructuous.

(SARANG V. KOTWAL, J.)