

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3307 OF 2021**

Atul Nandkumar Bhujbal & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Sachin Deokar for Petitioners.

Mr. Ajay Patil, A.P.P. for Respondent No.1-State.

Mr. Avinash Avhad for Respondent No.2.

PSI Ms.Kirti Chate & IO Ms.Ashwini Bavache, Swargate P.S., Pune City.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 28th March 2023.****P.C. :**

1. In pursuance of Order dated 19th July 2022 the learned Mediator, through the Deputy Registrar, Main Mediation Center, High Court, Mumbai has forwarded its report dated 6th September 2022. It is stated therein that, the mediation proceeding is unsuccessful. The said report is taken on record.

2. At the outset learned A.P.P. submitted that, in the present crime i.e. CR No. 47 of 2021 registered with Swargate Police Station, Pune, the investigation is completed, however due to the Order dated 23rd September 2021 passed by this Court, Chargesheet could not be filed.

She submitted that, the Investigating Officer will file chargesheet

in the Court of competent jurisdiction within a period of one week from today. The said statement is accepted.

Accordingly, the directions issued in para No.7 of Order dated 23rd September 2021 are modified.

3. In view of the fact that, the Investigating Officer will file chargesheet before the Court of competent jurisdiction within a period of one week from today, learned Advocate for Petitioner on instructions seeks leave to withdraw present Petition with liberty to adopt appropriate alternate remedy i.e. either to file application for discharge or to contest the said case as per the provisions of Criminal Procedure Code, before the Trial Court.

Leave and liberty granted.

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 Petition is disposed off as withdrawn with aforesaid liberty.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]

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