



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1731 OF 2018

Bhupendra Alopi Singh And Anr.

... Petitioners

V/s.

The State Of Maharashtra

... Respondent

Mr. Mandar Soman a/w Mr. Divakar Rai, Mr. Nitin Rai, Mr. Abhishek Deorukhar i/b Mr. Ramchandra Rane for Petitioners.

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

**CORAM : A.S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 14th SEPTEMBER, 2023.

PC. :

1. As the charge-sheet has already been filed, Petitioners are having substantive alternate statutory remedy under the provisions of Cr.P.C., before the trial Court.

2. Despite the said fact, Petitioners persuaded their counsel to argue the matter for a substantial period. As the alternate remedy is available to Petitioners, we were not inclined to grant relief as prayed for by the Petitioners and were infact inclined to dismiss the Petition. However at the profused request of learned counsel for Petitioners, we permit Petitioners to withdraw the Petition with liberty to adopt alternate remedy, before the trial Court, subject to payment of costs of Rs.20,000/- to be paid to Kirtikar Law Library, High Court, Mumbai, within a period of one week

from the date of uploading of the present Order on the official website of Bombay High Court.

3. Petition is disposed off as withdrawn with aforesaid liberty.
4. List the Petition on 27th September, 2023 under caption 'for reporting compliance' of present Order.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)