

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3742 OF 2021**

Khanderao Parmanand Rawool
V/s.

.. Petitioner

State of Maharashtra and Anr.

.. Respondents

Mr. Harshad Sathe a/w. Mr. Harshavardhan G. Khambete i/by Ms. Ankita Pawar for Petitioner

Mr. S. S. Hulke, APP for Respondent No.1-State

Mr. Ajinkya Udane for Respondent No.2

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 26th JUNE 2023.

PC. :

1. Mr. Udane, learned Advocate for Respondent No.2 has expressed his inability to proceed with the hearing of Petition, in view of instructions given by Respondent No.2 to him. He therefore seeks discharge from being Advocate for Respondent No.2 in present Petition.

Mr. Udane is accordingly discharged as an appointed Advocate for Respondent No.2.

2. In the present case, admittedly, Police have submitted charge-sheet and the case has been committed to the Sessions Court. Petitioner is therefore having substantive alternate remedy by way of filing an application for discharge, if charge is not framed till date,

as contemplated under the provisions of Cr.P.C. before the Trial Court.

3. By reserving the said remedy of Petitioner, Petition is disposed off.
4. All contentions of both the parties are expressly kept open.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)