

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3153 OF 2023**

Divine Help Foundation

..... Petitioner

V/s.

State of Maharashtra and Ors.

..... Respondents

Mr. N. P. Bhavsar for the Petitioner.

Mr. S. S. Hulke, APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.****DATE : 15th SEPTEMBER, 2023.****P.C.:-**

1) At the outset, learned APP raised a preliminary objection about the *locus standi* of the Petitioner to file present Petition. Record indicates that, the Petitioner is neither first informant nor victim as contemplated under Section 2(wa) of Cr.P.C.

2) In view thereof, Advocate for Petitioner on instructions seeks leave to withdraw Petition with liberty to file fresh Petition by the victims of the present crime i.e. M.P.I.D. Case No.140/2019 pending on the file of Special Judge, Thane.

Leave and liberty granted.

3) Petition is disposed off as withdrawn with aforesaid liberty.

(SHARMILA U. DESHMUKH, J.)**(A. S. GADKARI, J.)**