

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2288 OF 2022**

Satyajit Sangam Shinde & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. S. B. Patil for the Petitioners.

Mr. Ajay Patil APP for the Respondent-State.

Ms. Devyani Kulkarni for the Respondent No.2.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 13th APRIL, 2023.****P.C.:-**

Admittedly, after completion of investigation of present crime i.e. C.R. No.9 of 2022 dated 8th January, 2022 registered with Trombay Police Station, Mumbai, subsequently transferred for investigation to Bibvewadi Police Station, Pune, the police have submitted charge-sheet on 25th June, 2019 in the Court of Judicial Magistrate First Class, (Court No.4), Shivaji Nagar, Pune.

2) In view thereof, learned Advocate for the Petitioners on instructions seeks leave to withdraw present Petition with liberty to adopt appropriate alternate remedy i.e. either to file an Application for discharge or to contest the said case before the trial Court as contemplated under the provisions of the Code of Criminal Procedure.

Leave and liberty granted.

3) Petition is disposed off as withdrawn with aforesaid liberty.

4) It is made clear that, this Court has not adjudicated the issues involved in the present Petition on merits in view of the statutory alternate remedy available in favour of the Petitioners and the trial Court may not get influenced by the fact of withdrawal of it.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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