



Patil-SR

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3415 OF 2022

Sumit Narendra Jain.

...Petitioner.

V/s.

The State of Maharashtra & Another.

...Respondents.

Mr. Ashutosh Thipasy and Mr. Anup Lahoti for the Petitioners.
Mrs. Sangeeta Shinde, APP for the Respondent-State.

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

DATE : 22nd August, 2023.

P.C. :

1. According to us, the Petitioner ought to have filed an application before the learned Metropolitan Magistrate, 70th Court or concerned Court seized of CC No.763/SS/2020 for sending the documents in question, ie., the negotiable instrument and ledger / register, to the hand-writing expert.

2. Mr. Thipasy, learned counsel for the Petitioner therefore seeks leave to withdraw the petition with liberty to adopt the said remedy

before the trial Court.

Leave with liberty granted.

3. Disposed of as withdrawn with the aforesaid liberty.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)