

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 598 OF 2022**

Sushil Kamalkar Ardekar

...Applicant

Versus

State Of Maharashtra And Anr

...Respondents

Mr. M. A. Khan Advocate for Applicant.

Mr. Varun Kesharia i/by Mr. Mukesh Badsawal for Respondent  
No.2.

Mrs. G. P. Mulekar, APP for Respondent-State.

**CORAM : A. S. GADKARI AND  
PRAKASH D.NAIK, JJ.****DATE : 10<sup>th</sup> APRIL 2023.**

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**P.C.:-**

1. Admittedly, after completion of investigation police have submitted charge-sheet in the present crime.

In view thereof, Applicant is having substantive alternate remedy either by way of filing an Application for discharge and/or to contest the said case arising out of C.R. No.174 of 2022 dated 3<sup>rd</sup> April 2022 registered with Ghatkopar Police Station, Mumbai, under Sections 376(2)(N) of Indian Penal Code and Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned Advocate for Applicant therefore seeks leave to withdraw present Application with liberty to adopt the said substantive alternate remedy available under the provisions of Cr.PC.

Leave and liberty granted.

3. Application is disposed off as withdrawn with aforesaid liberty.

**(PRAKASH D. NAIK, J.)**

**(A. S. GADKARI, J.)**