

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.2796 OF 2021

Shyam Sanghi

.....Petitioner

Versus

M/s. Automated Medical Products Pvt. Ltd.
and others

.... Respondents

Mr. Sudhan Y. Amare, Advocate for the Petitioner.

Ms. Pinky M. Bhansali, Advocate for the Respondent No.2.

Ms. Anita M. Bafna, Advocate for the Respondent No.3.

Mr M.G. Patil, APP for the Respondent No.5-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 05th JULY, 2023

P.C. :

1. Learned counsel for the Petitioner agrees that the proper remedy for him would have been an appeal with a prayer for leave to file appeal under Section 378(4) of Cr.P.C. as the matter arises out of the judgment and order of acquittal passed by learned Magistrate in the case arising out of a private complaint. He seeks permission to withdraw this Writ Petition with liberty to file appropriate proceedings under Section 378(4) of Cr.P.C. with accompanying application for condonation of delay in preferring the appeal.

2. Permission is granted. The Petition is allowed to be withdrawn with such liberty and is disposed of. All contentions of all the parties are left open.

(SARANG V. KOTWAL, J.)