

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

CRIMINAL WRIT PETITION NO.1031 OF 2021

Rakesh Bhimsen Kondvilkar and others	Petitioners
versus	
The State of Maharashtra and another	Respondents

Mr.Swapnil Ambure with Mr.Sukrut Mhatre, Advocates for Petitioners.

Ms.G.P.Mulekar, APP, for State.

Mr.Vijendra S. Jabra with Mr.Shivkumar Mishra, Advocates for Respondent no.2.

API Gayatri Bedse, Borivali Police Station, present.

**CORAM : A.S.GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 27th March 2023

PC :

1. Learned APP on instructions from Assistant Police Station, Borivali Police Station, submitted that, the investigation of the present crime is completed and investigating agency will file charge sheet in the Court of competent jurisdiction within a period of ten days from today. The said statement is accepted.

2. In view of above, learned counsel for Petitioners on instructions seeks leave to withdraw present Petition with liberty to adopt appropriate alternate remedy as may be permissible under the provisions of Cr.P.C.

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 Petition is disposed off as withdrawn with aforesaid liberty.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 and the Petition is disposed off on the basis of statement made by learned APP and availability of alternate remedy to the Petitioners. It is needless to mention that, the Trial Court will adjudicate the Application for discharge or other proceedings initiated by the Petitioners on its own merits and without being influenced by the fact of withdrawal of present Petition.

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)

MST