

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2547 OF 2013

Devesh Pankaj Gupta

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Kamran Shaikh for the Petitioner.

Mrs. M.M. Deshmukh APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 19th JUNE, 2023.

P.C.:-

1) Petitioner is having substantive alternate remedy by way of filing an Application for discharge under Section 227 of the Cr.P.C., before the trial Court.

2) In view thereof, learned Advocate for the Petitioner on instructions seeks leave to withdraw Petition with liberty to file an Application for discharge as contemplated under the provisions of Cr.P.C., before the trial Court.

Leave and liberty granted.

3) Petition is disposed off as withdrawn with aforesaid liberty.

4) It is to be noted that, this Court has not adjudicated the issues involved in the present Petition and it is disposed off on the ground of availability of alternate remedy in favour of the Petitioners. The trial Court is requested not to get influenced by the fact of withdrawal of the Petition while considering the Application for discharge.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)