

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2707 OF 2018**

Devendra Singaravelu And Anr.

...Petitioners

Versus

The State Of Maharashtra And Anr.

...Respondents

Mr. Vinod P. Sangvikar Advocate for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

PSI C.D. Dalvi, Malad Police Station is present.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 16th MARCH, 2023.**

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P.C.:-

1. At the outset, learned APP submitted that, after completion of investigation of present crime i.e. C.R. No. 541 of 2015 dated 4th November 2015 registered with Malad Police Station, Mumbai, the Investigating Agency has submitted charge-sheet in the Court of Metropolitan Magistrate, 24th Court at Borivali, Mumbai on 7th August 2018.

2. In view thereof, learned Advocate for Petitioners on instructions seeks leave to withdraw present Petition with liberty to file an application for discharge under Section 239 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 Petition is disposed off as withdrawn with aforesaid liberty.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 needless to mention that, the present Petition is disposed off only on the ground of availability of alternate remedy and this Court has not adjudicated the issue involved in the present Petition. Both the parties herein are at liberty to agitate their contentions before the trial Court.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)