

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1587 OF 2021**

Tanveer Ebrahim Khan

... Petitioner

V/s.

The State Of Maharashtra And Anr.

... Respondents

Mr. Rishikesh Soni i/b Ms. Raveena Yadav for Petitioner.

Mrs. M. M. Deshmukh, APP for Respondent No.1-State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 21st MARCH, 2023.****PC. :**

1. Record indicates that, Respondent No.2 is duly served in the matter. Despite service, none appeared for Respondent No.2.

2. Learned counsel for Petitioner on instructions submitted that, as the police have submitted charge-sheet in the present crime, he will adopt appropriate legal remedy including filing of Application for discharge as contemplated under the provisions of Cr.PC., before the trial Court.

3. Learned counsel for Petitioner therefore seeks leave to withdraw present Petition with liberty to adopt appropriate alternate remedy available under the law.

Leave and liberty granted.

4. In view of the above, directions issued by Order dated 8th December, 2022 to the trial Court, are vacated and Petition is disposed off as withdrawn with aforesaid liberty.

(PRAKASH D. NAIK, J.)**(A.S. GADKARI, J.)**