

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3152 OF 2022**

Rahul Kumar

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr.Siddharth Mehta i/b. Ms. Arati D. Bhonsle for Petitioner.

Mrs.G.P. Mulekar, A.P.P. for Respondent No.1-State.

Mr. Madhavrao V. Thorat for Respondent No.2.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 5th June 2023.****P.C. :**

1. It is an admitted fact on record that, the police have submitted chargesheet after completion of investigation of present crime.
2. In view thereof, Petitioner is having substantive alternate remedy of filing an application for discharge before the Trial Court and without availing the said remedy he has directly approached this Court by the present Petition.
3. Learned counsel for Petitioner therefore on instructions seeks leave to withdraw present Petition with liberty to avail the said alternate remedy available under the provisions of Criminal Procedure Code.

Leave and liberty granted.

4. Disposed off as withdrawn with aforesaid liberty.
5. It is made clear that, this Court has not adjudicated the merits involved in Petition and it is disposed off on the ground of availability of alternate remedy to the Petitioner.

[SHIVKUMAR DIGE, J.]

[A.S. GADKARI, J.]

Digitally signed
by OMKAR
SHIVAHAR
KUMBHAKARN
Date:
2023.06.06
16:52:43 +0530

OMKAR
SHIVAHAR
KUMBHAKARN