

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5985 OF 2021**

Saroj Ganesh Gandurde ... Petitioner
V/s.
The State of Maharashtra & Anr. ... Respondents

WITH
INTERIM APPLICATION NO. 2857 OF 2022
IN
CRIMINAL WRIT PETITION NO. 5985 OF 2021

Swaranjana Hemraj Wasanik ... Intervenor
In the matter between :-
Saroj Ganesh Gandurde ... Petitioner
V/s.
The State of Maharashtra ... Respondent

Mr. Akshay Deshmukh a/w. Mr. Aniket Pawar for Petitioner.
Mr. Ajay Patil, A.P.P. for Respondent-State.

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

DATE : 25th April 2023.

P.C. :

1. Learned Advocate for the Petitioner, on instructions, submitted that, as a matter of fact in the present case the trial Court has already framed charge.

2. In view thereof, learned Advocate for the Petitioner seeks leave to withdraw present Petition with liberty to contest Sessions Case arising out

of CR No. 539 of 2021, dated 14th August 2021, registered with Bhosari Police Station, Pimpri Chinchwad, Pune, under Section 376(1) of Indian Penal Code.

Leave and liberty granted.

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 Petition is disposed off as withdrawn with aforesaid liberty.

4. It is needless to mention here that, the present Petition is disposed off on the ground that, the trial Court has already framed charge and this Court has not adjudicated issues involved in the Petition on merits.

The trial Court seized of trial arising out of CR No. 539 of 2021 registered with Bhosari Police Station, Pimpri Chinchwad, may not get influenced of the fact of withdrawal of present Petition at the time of conducting trial of the said case.

5. In view of disposal of Petition, Interim Application No.2857 of 2022 pending therein, does not survive and is accordingly disposed off.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]

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