

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3025 OF 2022**

Shankar Narsing Salvi

...Petitioner

V/s.

The State of Maharashtra & Ors.

...Respondents

Mr.Y.B. Lengare, for the Petitioner.

Mr.Ajay Patil, APP for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 20th JUNE 2023****P.C.**

1. Admittedly, after completion of investigation of the present crime, Police have submitted charge-sheet. Petitioner therefore is having substantive alternate remedy by way of filing an Application for discharge as contemplated under the provisions of Criminal Procedure Code, before the trial Court.

2. In view thereof, the learned Advocate for the Petitioner on instructions seeks leave to withdraw Petition with liberty to adopt alternate remedy i.e. to file an Application for discharge 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 Petition is disposed off as withdrawn with aforesaid liberty.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 Petition and it is disposed off on the ground of availability of alternate remedy. The Trial Court is requested not to get influenced by withdrawal of the present Petition, at the time of hearing of the Application for discharge, if filed by the Petitioner.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)