

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3799 OF 2019**

Harshal Mangesh Mandhare

...Petitioner

Versus

The State Of Maharashtra And Anr.

...Respondents

Mr. Kuldeep U. Nikam Advocate for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 10th APRIL 2023.**

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P.C.:-

1. Admittedly, during the pendency of present Petition police have submitted charge-sheet in the present crime i.e. F.I.R. No. 22 of 2019 registered with Alankar Police Station, District Pune for offences under Sections 376, 313, 420, 465 and 471 of Indian Penal Code.
2. In view thereof, the Petitioner is having substantive alternate remedy either by way of filing an Application for discharge and/or to contest the said case as contemplated under the provisions of Cr.P.C. before the trial Court.
3. Mr. Nikam, learned Advocate for Petitioner therefore seeks leave to withdraw present Petition with liberty to adopt the said alternate remedy available under the provisions of Cr.P.C. before the trial Court.

Leave and liberty granted.

4. Petition is disposed off as withdrawn with aforesaid liberty.
5. It is made clear that, the present Petition is disposed off on the ground of availability of alternate remedy as noted herein above and this Court has not expressed any opinion on the merits or issues involved in the present Petition.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)