

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3700 OF 2022**

K.J.A. Padmanabh

...Petitioner

V/s.

The Senior Inspector of Police & Anr.

...Respondents

Mrs.Veena B. Thadhani a/w Mr.Vishal B. Thadhani, for the
Petitioner.

Mrs.G.P. Mulekar, APP for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 20th JUNE 2023

PC.

1. It is an admitted fact on record that, the Police have submitted charge-sheet. Petitioner's therefore are having substantive alternate remedy by way of filing an Application for discharge as contemplated under the provisions of Cr.PC., before the trial Court.

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 Petition is disposed off as withdrawn with aforesaid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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)