

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3786 OF 2017**

Yunus Ahmed Maniyar

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Ms. Archana Shukla a/w Aditya Sharma for the Petitioner.

Mrs. M.M. Deshmukh APP for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 15th MARCH, 2023.****P.C.:-**

Learned Advocate for the Petitioner on instructions submitted that, during the pendency of the present Petition, the police have submitted charge-sheet in Crime No.111 of 2017 registered with D.B. Marg Police Station, Mumbai. She therefore on instructions seeks leave to withdraw the present Petition with liberty to avail alternate remedy available under the Code of Criminal Procedure, by way of filing the discharge Application before the trial Court.

Leave and liberty granted.

2) Petition is accordingly disposed off as withdrawn with aforesaid liberty.

3) It is needless to mention that, this Court has not adjudicated the issue involved in the present Petition and the Petitioner is at liberty to agitate his contention before the trial Court. Trial Court is requested to consider the said issue on its own merits as per the provisions of law and may not get influenced by the fact of withdrawal of present Petition.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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SANJIV
SHARNAPPA
MASHALKAR
Date: 2023.03.20
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