

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4712 OF 2019**

Dr. Lalchand Badriprasad Tiwari And Anr. ...Petitioners

V/s.

The State Of Maharashtra And Ors. ...Respondents

Mr. S.T. Pandey i/by Mr. Rakesh Mishra for Petitioners.

Mrs. M. M. Deshmukh, A.P.P. for the Respondent-State.

Mr. Bharat Rane, (P.S.I.) Kandivali Police Station, Mumbai,

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

DATE : 23rd MARCH, 2023

P.C.:-

. Present Petition is for quashing of First Information Report No.403 of 2019 registered with Kandivali Police Station, Mumbai.

2. At the outset learned A.P.P. on instructions from Mr. Bharat Rane, Police Sub-Inspector attached to Kandivali Police Station, Mumbai submitted that, the investigation of present crime is completed and the police will file charge-sheet in the Court of competent jurisdiction within a period of two weeks from today. The said statement is accepted.

3. In view thereof, learned counsel for the Petitioners on instructions seeks leave to withdraw present Petition with liberty to avail alternate remedy as contemplated under the provisions of the Criminal Procedure Code including an application for discharge before the trial Court.

Leave and liberty granted.

4. Writ Petition is disposed off with aforesaid liberty.
5. It is made clear that, this Court has not adjudicated the issue involved in the present Petition and the Petitioners are entitled to raise their contentions before the trial Court as may be permissible under the law.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)