

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4353 OF 2022**

Amar Vilas Kamble

...Petitioner

Versus

The State Of Maharashtra And Anr

...Respondents

Mr. Satyavrat Joshi i/by Mr.Nitesh J. Mohite for Petitioner.

Mrs. G. P. Mulekar, APP for Respondent No.1-State.

Mr. Pratik V. Shinde a/w Mr. Umar Siddhiqui for Respondent No.2.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 19th APRIL 2023.**

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P.C.:-

1. Admittedly, in the present case after completion of investigation of C.R. No. 933 of 2022 dated 26th June 2022 registered with Khar Police Station, Mumbai, the police have submitted charge-sheet in the Court of learned Additional Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai.
2. The Petitioner is therefore having substantive alternate remedy either by way of filing an Application for discharge and/or to contest the said case and without availing such a remedy, Petitioner has directly approached this Court in its jurisdiction under Article 226 of the Constitution of India.
3. In view thereof, learned Advocate for the Petitioner, on instructions

seeks leave to withdraw present Petition with liberty to adopt appropriate alternate remedy as contemplated 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 Petition is disposed off as withdrawn with aforesaid liberty.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)