

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6766 OF 2021****Bhausahab Dashrath Patil****.....Petitioner****Vs.****The State Of Maharashtra & Anr.****.....Respondents**

Mr. Ganesh Gupta a/w Adv. Sohil Ghorpade i/by G.G. Legal Association for the Petitioner.

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

Mr. Prafulla D. Pawar for the Respondent No.2.

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

DATE : 26th JULY, 2023.

P.C.:-

1) After hearing learned counsel for Petitioner at length, when this Court was not inclined to grant any relief, learned counsel on instructions seeks leave to withdraw the Petition with liberty to file an Application for discharge before the trial Court.

Leave and liberty granted.

2) Petition is disposed off as withdrawn with aforesaid liberty.

3) All contentions of both parties are kept open.

4) Though this Court pointed out to the Advocate for the Petitioner the relevant provisions of law and its interpretation enunciated by the Hon'ble Supreme Court, he continued arguing the Petition for

substantial period thereby spending valuable judicial time of this Court.

5) As we have permitted the Petitioner to withdraw the Petition, we impose cost of Rs.15,000/- upon the Petitioner to be paid to Kirtikar Law Library, High Court, Mumbai within a period of one week from the date of uploading of the Order on the official website of Bombay High Court and submit the receipt of the same in the Registry of this Court.

It is made clear that, if the cost is not paid within stipulated period, the Petition shall stand automatically revived.

6) List the Petition on 10th August, 2023 under the caption '*for reporting compliance*' of present Order.

7) All the concerned to act on the basis of an authenticated copy of this Order.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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