

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 6813 OF 2021

Prashant Girish Choksey

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Ms. Simran K. Rai i/b. Deshmukh Bhogle Legal Associates for
Petitioner.

Mr. Arfan Sait, APP for State/Respondent No.1.

Mr. Aditya R. Mokashi i/b. Rajendra B. Mokashi, for Respondent
No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 13 DECEMBER 2023

PC :

1. Learned counsel for the Petitioner, on instructions, submits that the petitioner seeks permission to withdraw this petition with further liberty to approach the Court of Sessions by filing a criminal revision application to challenge the order passed by the J.M.F.C., 2nd Court, Karjat, in R.C.C.No.15 of 2018; thereby rejecting the petitioner's application for discharge.

2. Learned counsel for the Respondent No.2 has no objection if such liberty is granted.

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3. Considering these submissions, the petition is allowed to be withdrawn. The petitioner is at liberty to prefer revision application before the Court of Session, as referred to herein above; along with an application for condonation of delay.

4. The revisional court shall take into account the fact that the petitioner was pursuing this remedy of present petition before this Court; while considering the application for condonation of delay. The application for condonation of delay, as well as, the revision application shall be decided on their own merits, in accordance with law.

5. The petition is disposed of.

(SARANG V. KOTWAL, J.)