

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

CRIMINAL WRIT PETITION NO.5574 OF 2019

Bhuvnesh D. Sampat

.....Petitioner

Versus

The State of Maharashtra
and another

.... Respondents

.....

WITH

CRIMINAL WRIT PETITION NO.5575 OF 2019

.....

WITH

CRIMINAL WRIT PETITION NO.5576 OF 2019

.....

WITH

CRIMINAL WRIT PETITION NO.5577 OF 2019

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WITH

CRIMINAL WRIT PETITION NO.5578 OF 2019

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WITH

CRIMINAL WRIT PETITION NO.5579 OF 2019

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WITH

CRIMINAL WRIT PETITION NO.5580 OF 2019

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WITH

CRIMINAL WRIT PETITION NO.5581 OF 2019

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WITH

CRIMINAL WRIT PETITION NO.5582 OF 2019

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WITH

CRIMINAL WRIT PETITION NO.5583 OF 2019

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WITH
CRIMINAL WRIT PETITION NO.5584 OF 2019
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WITH
CRIMINAL WRIT PETITION NO.5585 OF 2019
.....
WITH
CRIMINAL WRIT PETITION NO.5586 OF 2019

Mr. Pratap Sampat, Advocate a/w. Jabbar Shaikh, Mahendra Swar, Aarti S. i/b. Vilas Jadhav, for the Petitioner in all Petitions.

Mr. Arfan Sait, APP for the Respondent No.1-State.

Mr. Rajmani Varma, Advocate a/w. Poonam Sheth, i/b. Navdeep Vora & Asso. for the Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 24st JULY, 2023

P.C. :

1. Heard Mr. Pratap Sampat, learned counsel for the Petitioner, Mr. Arfan Sait, learned APP for the Respondent No.1-State and Mr. Rajmani Varma, learned counsel for the Respondent No.2.

2. In all these Petitions, the Petitioner has challenged the order of issuance of process and the

subsequent order of the Sessions Court upholding the issuance of process. All these complaints were filed by the Constituted Power of Attorney of the original complainant. Whether such complaints would be maintainable is a common question raised in all these Petitions.

3. These complaints were filed in the year 2011. Subsequently, in the year 2023, in all these complaints amendment to the complaints was allowed and certain averments in respect of knowledge of the Power of Attorney Holder was permitted to be incorporated in the complaints. That had changed the entire complexion of the challenge made in these Petitions.

4. Learned counsel for the Petitioner, therefore, seeks permission to withdraw these Petitions with liberty to file fresh Petitions challenging the same order of issuance of process on separate grounds which have subsequently arisen with separate prayers for challenging amendment to the complaints as well as challenging the issuance of process.

5. Considering the subsequent developments and the submissions made by learned counsel for the Petitioner, the Petitions are allowed to be withdrawn with liberty to file fresh Petitions challenging the amendments to the complaints and also by making separate prayers challenging such amendment as well as challenging issuance of process. With such liberty, all the Petitions are allowed to be withdrawn and are disposed of as such.

(SARANG V. KOTWAL, J.)