



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

36 CRIMINAL WRIT PETITION NO.564 OF 2017

1. Appasaheb @ Irappa Dhanappa Mundase
Age: 42 years, Occu.: Agri. & Business,
R/o. Murum, Tq. Umarga,
Dist. Osmanabad.
2. Rajendra Dhanappa Mundase
Age: 36 years, Occu.: Agri. & Business,
R/o. Murum, Tq. Umarga,
Dist. Osmanabad.

.. Petitioners

Versus

1. The State of Maharashtra
Through the Secretary,
Home Department,
Maharashtra State,
Mumbai-32.
2. The Superintendent of Police,
Osmanabad.
3. Vilas V. Gobade,
Age: Major, Occu.: Service (API),
At Murum Police Station,
Tq. Umarga, Dist. Osmanabad.
4. J. D. Pathan,
Age: Major, Occu.: Police Head Constable,
R/o. Police Headquarter, Osmanabad,
Tq. And Dist. Osmanabad.
(As per order dated 22.02.2024
matter stands abated as against
respondent No.4)

.. Respondents

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Mr. Z. H. Farooqui h/f Mr. N. V. Gaware, Advocate for the Petitioners.
Mr. G. A. Kulkarni, APP for Respondent No.1 and 2/State.
Mr. G. R. Bhumkar h/f Mr. R. P. Bhumkar, Advocate for Respondent No.3.

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**CORAM : SMT. VIBHA KANKANWADI &
ROHIT W. JOSHI, JJ.**

DATE : 16 DECEMBER 2024

ORDER :

. We have heard the learned Advocate for the parties for a while and when certain questions were asked, the learned APP is pointing out report dated 14.04.2024 given to him by P.S.I., Murum Police Station, District Dharashiv, wherein there is a reference that the Summary Criminal Case No.235 of 2016 came to be decided by learned Judicial Magistrate First Class, Omerga on 09.06.2020. A copy of the said judgment is annexed along with the said report. It is taken on record by marking as Exhibit-'A'. Present applicants have been acquitted from the said case. We have gone through the judgment. It appears that there was no point raised regarding the illegal arrest of the applicants. The investigating officer was examined as P.W.4. The applicants had the opportunity to cross examine the investigating officer. Now, the investigating officer is no more, though he was added as respondent No.4 herein.

2. When these facts have brought to the notice of this Court, learned Advocate for the petitioners, upon instructions, seeks

withdrawal of the petition.

3. The writ petition stands disposed of as withdrawn.

[ROHIT W. JOSHI]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm