

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 CRIMINAL WRIT PETITION NO. 1771 OF 2024

Azahar Afsar Pathan

VERSUS

The State Of Maharashtra And Others

Advocate for the Petitioner : Mr. Vikhe Pratap Babasaheb

APP for Respondents: Mr. S A Gaikwad

CORAM : SMT. VIBHA KANKANWADI
AND

S. G. CHAPALGAONKAR, JJ.

Dated : October 14, 2024

PER COURT :-

1. Present petition has been filed for following prayers :-

“C. Be pleased to issue appropriate writ, orders or directions in the like nature and respondent no.2 may kindly be directed to add section 109 of BNS in crime bearing No.245 of 2024 dated 17.9.2024, registered with police station, Jinsi, District Aurangabad.”

2. It appears that the petitioner has already filed the FIR bearing CR.no.245 of 2024 with Jinsi police station, Aurangabad for the offence punishable under section 118(1), 352, 3(5) of the DNS. However, as per the petitioner, taking into consideration medical certificate which is issued later, offence under section 109 of BNS is made out. He has given representation/intimation to the Investigating Officer.

3. After learned advocate for the petitioner is heard, he seeks withdrawal of this petition upon instructions to approach the concerned Magistrate with the legal option available to the petitioner.

3. In view of the said statement, writ petition stands **disposed off**, with the liberty as prayed for.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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