



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

91 CRIMINAL WRIT PETITION NO. 1600 OF 2023

Nitin Vishwanath Jambure

VERSUS

Don Bosko Nagari Sahakari Patsanstha Sant Anna Church
Compound

...

Advocate for the Petitioner : Mr. Padalkar Harshad H

Advocate for Respondents : Ms. Suvarna Zaware

.....

CORAM : SHIVKUMAR DIGE, J.

DATED : 1st JULY, 2024.

PER COURT :-

1. Heard learned counsel for the petitioner and learned counsel for the respondent.

2. Learned counsel for the petitioner, on instructions, seeks leave to withdraw this writ petition with liberty to file an application under Section 254(2) of Code of Criminal Procedure, 1973, before the trial court. Learned counsel for the petitioner submitted that yet the statement under section 313 of Cr.P.C. is not recorded by the trial court. Hence, requested to withdraw this writ petition.

3. Learned counsel for the respondent objected to withdraw this writ petition on the ground that the petitioner has admitted his signature on the cheque.

4. I have heard both the learned counsel. Considering the submissions of learned counsel for the petitioner and the respondent, the writ petition is allowed to be withdrawn with liberty as prayed for.

5. The trial court shall decide the application, if any, filed by the petitioner, as per the provisions of law and on its own merits.

6. All contentions of the parties are kept open.

(SHIVKUMAR DIGE, J.)

rlj/