

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

CRIMINAL WRIT PETITION NO.4026 OF 2023

Sarfaraj Khalil Pathan
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Farhana Shah, Advocate (appointed through Legal Aid)
a/w. Anna Khan for the Petitioners.

Mr. Anand S. Shalgaonkar, APP for the Respondent No.1-State.

Mr. Ranjeet H. Patil, Advocate for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR.NEELA GOKHALE, JJ.**

DATE : 18th DECEMBER, 2024

P.C. :

1. After arguing for some time, when we expressed our disinclination to grant relief in this Petition, learned Counsel for the Petitioners prays for withdrawal of this Petition with liberty to prefer an Application for discharge before the trial Court.

2. Permission is granted. The Petition is allowed to be withdrawn. The Petitioners are at liberty to prefer an Application for discharge before the trial Court. If such an Application is preferred, it shall be decided on its own merits, in accordance with law, without being influenced by withdrawal of this Petition. With these observations, the Petition is disposed of as withdrawn with the aforesaid liberty.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)