

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

WRIT PETITION NO.381 OF 2018

Harinder Pishorilal Bhasin & Anr. .. Petitioners
vs.
The State of Maharashtra & Anr. .. Respondents

Mr. Niranjana Mundargi with Omneel Jadhav and Keral Mehta for the Petitioners.

Mr. Vinod Chate APP for the Respondent-State.

Mr. S. B. Shetye for the Respondent No.2.

Mr. Santosh Shripati Khikhalikar, API, Malvani Police Station present.

**CORAM: A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 3rd MAY 2024

P. C.:-

1) Mr. Chate, learned A.P.P. on instructions from A.P.I. Mr.Santosh Khikhalikar attached to Malvani Police Station, Mumbai submitted that, after completion of investigation of the present crime, the Investigating Officer had forwarded its report to the Respondent No.3, who in turn has filed a complaint bearing C.C.No.174/SW/2024 before the 44th Metropolitan Magistrate, Borivali, Mumbai on 29th April 2024. That, the concerned Magistrate is seized of the said complaint.

1.1) In view of the aforementioned fact, learned A.P.P. on instructions submitted from A.P.I. Mr.Khikhalikar, that the Investigating Officer of present crime i.e. LAC No.320 of 2014, registered with Malvani Police

Station, Mumbai will submit a closure report as contemplated under the provisions of Code of Criminal Procedure, before the trial Court so also will record it in the police station. Said statement is accepted.

2) In view of above, learned counsel for the Petitioners seeks leave to withdraw the Petition with liberty to pursue the remedy under the provisions of Criminal Procedure Code before the trial Court, in the said case i.e. C.C.No.174/SW/2024.

2.2) Leave and liberty granted.

3) Disposed off as withdrawn with aforesaid liberty.

(SHYAM C. CHANDAK,J.)

(A. S. GADKARI, J.)