

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

WRIT PETITION NO. 845 OF 2017

Aasad Yahia Chaus And Ors

.. Petitioners

v/s.

The State Of Maharashtra And
Anr

.. Respondent

Mr. Raju M.Yamgar a/w. Ms.Bharti Lokhande & Mr.Rajesh Kakad for the
Petitioners.

Mr. J.P. Yagnik, APP for the Respondent-State.

Mr. Subhash Gutte a/w. Ms.Sayali Gutte for the Respondent No.2.

API S.Tate of Thane Nagar Police Station, present.

CORAM : A. S. GADKARI &

SHYAM C. CHANDAK, JJ.

DATE : 8th MARCH, 2024.

PC. :

1) Learned APP on instructions from A.P.I. Mr.Tate attached to
Thane Nagar Police Station submitted that, investigation of present crime
i.e. C.R.No. I-91/2016 registered with Thane Nagar Police Station, is
completed. However, in view of Orders dated 7th August 2017, and 10th
August 2017, charge-sheet has not been filed.

2) As the Police are intending to file charge-sheet, in view of the
observations made by the Hon'ble Supreme Court in para No.8 in the case
of *Iqbal alias Bala and Ors. Vs. State of U.P. and Ors (2023) 8 SCC 734:*
2023 Online SC 949, learned counsel for the Petitioners on instructions
seeks leave to withdraw the Petition with liberty to avail alternate remedy

**JYOTI
RAJESH
MANE**

Digitally signed
by JYOTI
RAJESH MANE
Date:
2024.03.18
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under the provisions of Criminal Procedure Code before the trial Court.

Leave and liberty granted.

4) Disposed off as withdrawn with aforesaid liberty.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)