

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

CRIMINAL WRIT PETITION NO. 2913 OF 2021

Manju Shivprasad Upadhyay Petitioner

Versus

The State Of Maharashtra And Ors. Respondents

Mr. Gaurav Bhavnani i/b Mr. Abdul Wahab Khan, for the Petitioner.

Mrs. P. P. Shinde, A.P.P for the Respondent – State.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 7th MARCH 2024

P.C. :

1. At the outset, learned Counsel for the petitioner seeks leave to amend to correct the C.R. number in the prayer clause. Leave granted. Amendment to be carried out forthwith.

2. By this petition, the petitioner seeks the following substantive reliefs :

a. This Hon'ble Court may graciously be pleased to

allow the present Petition and issue a writ of mandamus/in the nature of mandamus/any other writ and direct the Respondent No.2 and 3 to withdraw the investigation of C.R. No. 216 of 2021 of Kherwadi Police Station from the file of Respondent No.1 and to transfer the said investigation of C.R. No. 216 of 2021 of Kherwadi Police Station to the Respondent No.4 DCB-CID (Crime Branch) and assign it to any of the units of the DCB-CID.

3. As soon as the matter was called out, learned counsel for the petitioner sought leave to withdraw the petition, since charge-sheet has been filed by the police in the case, on 28th August, 2021.

4. The petition is accordingly disposed of as withdrawn.

5. We make it clear, that we have not heard the petition on merits, and as such all contentions of all parties are kept open.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.