

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 948 OF 2018**

Indian Angel Network

... Applicant

V/s.

Shrikant Hanumanth Kunden & Anr.

... Respondents

Mr. Radhikesh V. Uttarwar a/w. Ms. Pooja Thakur & Mr. Shrikant Patil for Applicant.

Ms. Divya Parab a/w. Mr. Harshad Garud for Respondent No.1.

Mr. J.P. Yagnik, A.P.P. for Respondent No.2-State.

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

DATE : 6th February 2024.

P.C. :

1) Mr. Uttarwar, learned counsel for Applicant, on instructions, submitted that, during the pendency of the present application, the Police have completed investigation and had submitted 'A Summary Report' before the learned Magistrate at Pune. In a protest Petition lodged by the Respondent No.1, the learned Magistrate had directed further enquiry under Section 202 of Criminal Procedure Code. In the said enquiry also the police have exonerated the Applicant. Despite the said fact the learned Magistrate has taken cognizance of the said case and has issued process against the Applicant.

1.1) Mr.Uttarwar therefore on instructions seeks leave to withdraw application with liberty to adopt appropriate alternate remedy as may be permissible under the law.

Leave and liberty granted.

2) Disposed off as withdrawn with aforesaid liberty.

3) All contentions of both the parties are kept open.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

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