

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5733 OF 2018**

Shri Nellipparambil Karappan Bhupeshbabu & Anr. ... Petitioners
V/s.

The State of Maharashtra & Ors. ... Respondents

WITH
INTERIM APPLICATION NO.1122 OF 2024
IN
CRIMINAL WRIT PETITION NO. 5733 OF 2018

Kunal Arvind Andhare & Ors. ... Applicants
V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Manoj Harit a/w Nikel Harit, Harshit Kumar, Hrushikesh Shinde i/b Manoj Harit & Co. for Petitioners.

Mr. S.V. Gavand, A.P.P. for Respondent No.1-State.

Mr. Aayush Kedia a/w Yogini Sawant, Chittesh Dalmia for Applicants in Interim Application No.1122 of 2024.

API Mr. Sanjay Sadigale, attached to EOW-1, Navi Mumbai.

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

DATE : 2nd May 2024.

P.C. :

(1) Learned APP on instructions from Assistant Police Inspector Mr. Sanjay Sadigale, attached to EOW-1, Navi Mumbai, submitted that, investigation of present crime is completed. However in view of Order dated 11th February 2019, chargesheet has not been filed. He on instructions further submitted that, there is sufficient material revealed during the course

of investigation to indict the Petitioners in present crime.

(2) As investigation is completed, we permit the Investigating Officer to file chargesheet before the Court of competent jurisdiction within a period of two weeks from today.

(3) As the police are intending to file chargesheet, learned counsel for the Petitioners on instructions, seeks leave to withdraw Petition with liberty to avail alternate remedy under the provisions of the Code of Criminal Procedure, before the trial Court.

Leave and liberty granted.

(4) Disposed off as withdrawn with aforesaid liberty.

(5) All contentions of both the parties are kept open.

(6) In view of disposal of the Writ Petition, Interim Application No.1122 of 2024 for intervention, pending therein does not survive and is accordingly disposed off.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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