

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.847 OF 2024**

Gopal Raja Nadar And Ors

.....Petitioners

Vs.

The State Of Maharashtra & Ors.

.....Respondents

Mr. Balwant Salunkhe, for the Petitioners.

Smt. Anamika Malhotra, Addl.PP. for Respondents-State.

Adv. Vinay Bhanushali with Adv. Sanmit Vaze & Adv. Pujan Patel for Respondent No.3.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.****DATE : 12th SEPTEMBER, 2024.****P.C.:-**

1) Respondent No.3 herein had filed a Writ Petition No.1603 of 2012 for adding Section 395 of Indian Penal Code, 1860 ('IPC') to the present crime and under the Order of this Court dated 14th September 2012, the said section was not only added but the investigation of the crime was transferred to another police officer of Police Inspector rank and the Assistant Commissioner of Police was directed to supervise the investigation.

1.1) In this background, now the Respondent No.3, original informant/victim is intending to give consent for quashing of present crime. We do not appreciate the practice adopted by the Respondent No.3.

2) After we expressed our disinclination to quash Crime No.288 of 2011 investigated by Tilak Nagar Police Station culminated in Sessions Case No.21 of 2014, learned Advocate for the Petitioner on instructions seeks leave to withdraw Petition with liberty to contest Sessions Case No.21 of 2014 pending on the file of learned Additional Sessions Judge, Mumbai.

2.1) Leave and liberty granted.

3) Dismissed as withdrawn with aforesaid liberty.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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