

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

CRIMINAL APPEAL NO.474 OF 2023

Hashish Harun Shaikh
Versus
State of Maharashtra

.....Appellant
.... Respondent

**.....
WITH
INTERIM APPLICATION NO.2244 OF 2024
IN
CRIMINAL APPEAL NO.474 OF 2023**

Mr. Mahendra N. Sandhyanshiv, Advocate for the Appellant.
Mr. Arfan Sait, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 28th JUNE, 2024

P.C. :

1. The Appellant/Applicant was convicted by Additional Sessions Judge, Malegaon, District-Nashik vide his judgment and order dated 20.2.2023 passed in Sessions Case No.22/2016 under Sections 307 and 323 of IPC. He was sentenced to suffer RI for seven years and to pay fine of Rs.1,000/- in default to suffer further RI for five months, for the offence punishable under Section 307 of IPC. For other

offences, the Applicant was sentenced to suffer RI for three months. The sentences were directed to run concurrently. He was given set off under Section 428 of Cr.P.C. He preferred Criminal Appeal (Stamp) No.6731/2023 which is renumbered as Criminal Appeal No.474/2023.

2. Now, an application is sent through jail by the Applicant, which is IA No.2244/2024 in Cri.Apel No.474/2023. He has mentioned in the Application that he wants to withdraw that Appeal. He was sent to open prison and, therefore, his sentence would get over sooner. He does not wish to prosecute the Appeal. He has prayed for permission to withdraw that Appeal.

3. Considering the request made by the Appellant, since he does not wish to continue with this Appeal, permission is granted. The Appeal is permitted to be withdrawn and is disposed of as such. I.A. is also disposed of.

(SARANG V. KOTWAL, J.)