



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.519 OF 2024

Rakesh Saysram Uikey -Vs-The Commissioner of Police, Nagpur City and one.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Aparajit Ninawe, Advocate for the Petitioner.
Mr. S.S.Doifode, A.P.P for respondent-State.

**CORAM : VIBHA KANKANWADI &
VRUSHALI V.JOSHI, JJ**

DATE : 4th July,2024.

1. Heard learned counsel appearing for the petitioner.
2. Learned APP waives service of notice for respondent Nos.1 and 2.
3. After arguing for some time, learned counsel appearing for the petitioner submits that in view of the fact that petitioner can approach before the Judicial Magistrate First Class under Section 156(3) of the Code of Criminal Procedure, he seeks withdrawal of the writ petition with liberty to exhaust the said remedy. He points out that the petitioner has already exhausted the remedy under Section 154(1)(3) of the Code of Criminal Procedure.
4. In view of the fact that, the petitioner still can go

before the learned Judicial Magistrate First Class Under Section 156(3) of the Code of Criminal Procedure and when it is stated by the petitioner that investigation at the hands of police is necessary, the Magistrate would be empowered to take appropriate steps, we allow the petitioner to withdraw the writ petition with liberty as prayed for.

5. Writ Petition stands disposed of as withdrawn.

(MRS. VRUSHALI V.JOSHI,J.) (SMT.VIBHA KANKANWADI,J.)