



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

21 CRIMINAL WRIT PETITION NO. 1825 OF 2022

SUMANBAI D/O. GOVIND TAMBE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Ujwal Subhash Patil.
APP for Respondent / State : Mr. A. D. Wange.

...

CORAM : **SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

DATE : 21st July, 2025.

P.C.:

. The learned counsel for the petitioner submits that the present petition has been filed for directing recording of statements of the eye-witnesses and to file the charge-sheet for the offence punishable under Section 395 of IPC, however, the charge-sheet i.e. filed is for the offence punishable under Sections 354, 452, 323, 143, 147, 504 and 506 of IPC. The petitioner would approach the concerned Magistrate under Section 173(8) of Cr.P.C. and therefore, he seeks withdrawal of the petition with liberty.

2 Since the charge-sheet appears to have been filed in 2021 itself, if the stage as well as right is available to the petitioner for an

application under Section 173(8) of Cr.P.C., he should better approach the Trial Court and therefore, the petition stands dismissed as withdrawn with liberty as aforesaid.

nga [SANJAY A. DESHMUKH, J.] [SMT. VIBHA KANKANWADI, J.]