

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

CRIMINAL WRIT PETITION NO. 1564 OF 2024

Mr. Ahun Carl Avari

.....Petitioner

Versus

The State of Maharashtra & Anr.

.....Respondents

Mr. Nagesh Chavan i/b Mr. Sartaj Pathan, Advocate for the Petitioner.
Mr. J. P. Yagnik, A.P.P. for the Respondent-State.

**CORAM : SARANG V. KOTWAL AND
S. M. MODAK, JJ.**

DATE : 10th FEBRUARY 2025.

P.C.:-

1. Learned counsel for the Petitioner submitted that this Petition is filed on merits of the matter. He, on instructions, seeks permission to withdraw this Petition to prefer an Application for discharge before the Trial Court. He submitted that there is a possibility that the matter may be settled.
2. At his stage, there is nothing on record to show that the matter is likely to be settled between the parties. However on merits, the Petition is allowed to be withdrawn. The Petitioner is at liberty to prefer an Application for discharge before the Trial Court. If such an Application is preferred, it shall be

decided on its own merits, in accordance with law, without being influenced by withdrawal of this Petition. In case, if any separate Petition is filed by the Petitioner in future on the ground of settlement, it can be entertained independently on its own merits, in accordance with law, without being influenced by withdrawal of this Petition.

3. With these observations, the Petition is disposed of as withdrawn.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)

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