

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.4603 OF 2024

Bhausahab Rupchand Madhwai
and Ors.

...Petitioners

Versus

Smita Balasaheb Madhwai and Anr.

...Respondents

Mr.Rameshwar N. Gite a/w Mr.Sushant Tare and Ms.Pratiksha
Shelke – Advocates for Petitioners.

Mr.B.V.Holambe – Patil – APP for Respondent No.2 – State.

CORAM : SARANG V. KOTWAL &
S.M.MODAK, JJ.

DATE : 10th MARCH 2025

P.C. :

1. Learned counsel for the Petitioners submitted, that the F.I.R. is already registered and therefore, the present Writ Petition challenging the order passed by the learned Magistrate under Section 156(3) of the Code of Criminal Procedure, 1973 (“Cr.PC.”) does not survive.

He seeks permission to withdraw this Writ Petition with liberty to file a fresh Petition challenging the F.I.R. itself.

2. Permission is granted. The Petition is allowed to be withdrawn. The Petitioners are at liberty to file a separate Writ
Satish Sangar

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
SANGAR

Date: 2025.03.13
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Petition for challenging the F.I.R. registered against the
Petitioners.

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disposed of as withdrawn.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)