

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.4629 OF 2024**

Pravin Raju Pujari

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. S.A. Jabbar a/w Adv. Doreen Shaikh, i/b Adv. Sadik Pathan for the
Petitioner.

Mr. Kiran C. Shinde APP, for the Respondents-State.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 12th JUNE, 2025.

P.C.:-

1) An Order passed by a Court of competent jurisdiction is challenged by way of present Petition under Article 226 of the Constitution of India, which is not maintainable in view of Constitution Bench Judgment in the case of *Naresh Mirajkar v. State of Maharashtra*, reported in AIR 1967 SC 1, and reaffirmed in the cases of (i) *A. R. Antulay v. R. S. Naik & Anr.*, reported in (1988) 2 SCC 602 and (ii) *Neeta Singh & Ors. Vs. The State of Uttar Pradesh & Ors.*, Special Leave to Appeal (Cri.) No. 13578/2024, Dated 15/10/2024.

2) In view of the above, Mr. Jabbar, learned Advocate for Petitioner on instructions seeks leave to withdraw Petition with liberty to either file an Application for discharge before the trial Court or to challenge the committal Order dated 25th August, 2022 passed in CC No. 4600944/PW/2021, by adopting appropriate proceedings.

2.1) Leave and liberty granted.

3) Disposed off as withdrawn with aforesaid liberty.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)