

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

CRIMINAL WRIT PETITION NO. 6111 OF 2024

1. Zubeda Haji Salim Chunawala
2. Shahnawaz Haji Salim Chunawala
3. Shehbaz Haji Salim ChunawalaPetitioners

Versus

1. The State of Maharashtra
2. Najma Aslam MerchantRespondents

Adv. Mutahhar Khan a/w Adv. Kavisha Shah, Adv. Nikhat Chaudhary
i/by India Law Alliance – Advocate for the Petitioners.

Dr. Abhinav Chandrachud i/by Aditya A. Joshi - Advocate for the
Respondent No. 2.

Ms. M. M. Deshmukh - APP for the Respondent-State.

API Prashant M. Kamble – LT Marg Police Station, Mumbai.

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

DATE : 25th APRIL 2025

P.C. :

1. The learned Counsel for the Petitioners, on instructions, states that he is not pressing this petition at this stage. He seeks permission to withdraw this petition.

2. In this case, the investigation is still going on. The learned APP, on instructions, of the investigating officer, makes a statement that

the investigating agency does not want to arrest the Petitioner No. 1- Zubeda who is 74 years of age. The statement is recorded and accepted.

3. As far as the other two Petitioners are concerned, they are at liberty to take appropriate steps for relief in the nature of anticipatory bail.

4. The Petitioners are also at liberty to adopt appropriate proceedings in accordance with the law, if and when the charge-sheet is filed, including approaching this court for quashing the charge-sheet.

5. It is made clear that this order is restricted only in respect of the present writ petition. The statement made by the investigating agency that they do not want to arrest the Petitioner No. 1 is restricted specifically in respect of the Petitioner No. 1. This concession will not come in the way of investigating agency or the first informant as far as the other two Petitioners are concerned. The proceeding adopted by all parties shall be independently decided in accordance with the law, on the merits of the matter, without being influenced by the withdrawal of this petition. We make it clear that

we have not made any observations on the merits of the matter either way.

6. The Petitioner Nos. 2 and 3 are already protected by ad-interim order passed by the previous Division bench of this Court vide the order dated 10.04.2024. That protection shall continue for a further period of 15 days from today.

7. Accordingly, the petition is disposed of as not pressed in the aforesaid terms.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)