

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

CRIMINAL APPLICATION NO. 20 OF 2025

Altamash Sirajahned Hirapur. ... Applicant.
Vs.
The State of Maharashtra. ... Respondent.

Mr. Sagar Tambe a/w. Mr. Gauresh Khandalekar, learned
Advocate for the Applicant.
Mrs. Anamika Malhotra, APP for Respondent/State.
API Ganesh Ingale, MIDC Police Station, Solapur City.

**CORAM : ASHWIN D.BHOBE, J.
DATE : 17th JUNE, 2025.**

P.C. :

1. Heard Mr. Sagar Tambe, learned Advocate for Applicant and Mrs. Anamika Malhotra, learned APP for State.
2. By the present Application, the Applicant seeks cancellation of the order dated 30th September, 2025 passed by the learned Judicial Magistrate First Class, Solapur granting bail to the Respondent No. 2. Applicant has sought for the following relief :

“a) The Order dated 30.09.2024 passed by the Ld. Judicial Magistrate Court at Solapur be cancelled /quashed and set-aside.”

3. Mrs. Anamika Malhotra, learned APP submits that the present Application is not maintainable, in terms of Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) as the Applicant has to approach the Sessions Court for the reliefs prayed in the present Application.

4. Mr. Sagar Tambe, learned Advocate for the Applicant on instructions from the Applicant submits that in view of the provisions of Section 483(3) of the BNSS, he feels it appropriate to move the learned Sessions Court at the first instance by invoking the jurisdiction under Section 483(3) of BNSS. He therefore, seeks leave to withdraw the present Application with liberty to file application before the learned Sessions Court. Leave granted.

7. In view of the above, the Applicant is permitted to withdraw the present Application and to file application before the learned Sessions Court. In the event, such an application is filed, the same shall be considered on its own merits and in accordance with law.

8. Criminal Application No. 20 of 2025 is disposed of as withdrawn with liberty.

[ASHWIN D.BHOBE, J.]