

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

CRIMINAL WRIT PETITION NO.259 OF 2025

Mohil Jayesh Shah	.. Petitioner
Vs.	
The State of Maharashtra and Ors.	.. Respondents

Mr. Vijay Jha, Advocate, i/by Law Juris, for the Petitioner.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr. S.V. Gavand, Advocate for Respondent No.1.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 2ND DECEMBER 2025.

P.C. :

In this writ petition, the petitioner prays for the following reliefs:-

- “a) That this Hon’ble Court may be pleased to call for record and papers concerning FIR No.397 of 2020 registered by Jogeshwari Police Station, Mumbai and after examining the legality, validity and propriety thereof may be further pleased to quash and set aside the same in exercise of extraordinary powers coupled with inherent powers vested with this Hon’ble Court under Article 226 of the Constitution of India and section 528 of B.N.S.S., 2023.*
- b) That this Hon’ble Court may be pleased to direct the respondent no.1 to initiate appropriate action against the concerned police personnel of Jogeshwari Police Station for dereliction of their statutory duty and function of carrying out true, fair and impartial investigation and instead, they having resorted to falsely implicating the petitioner in an absolutely false case by colluding and conspiring with the respondent no.3.*
- c) That pending the hearing and final disposal of the present petition, this Hon’ble Court may be pleased to stay all further proceedings concerning the impugned FIR being FIR No.397 of 2020 registered by Jogeshwari Police Station, Mumbai.*
- d) That interim and ad-interim relief in terms of prayer clauses (a) and (b) be granted.*
- e) That cost of the petition be provided for.”*

2. Mr. S.V. Gavand, the learned Additional Public Prosecutor states that cognizance of the offence has been taken by the Court concerned.

3. In view thereof and considering Rule 2(II)(h) under Chapter I of the Bombay High Court Appellate Side Rules, 1960, Mr. Vijay Jha, the learned counsel for the petitioner seeks permission to withdraw this writ petition with liberty to file fresh petition/application, if so advised.

4. Criminal Writ Petition No.259 of 2025 is dismissed as withdrawn with the aforesaid liberty. All contentions are left open.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]