

JVS.

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

WRIT PETITION NO. 2056 OF 2025

Mr. Haris Musa Shaikh	}	Petitioner
versus		
The State of Maharashtra & Anr.	}	Respondents

Mr. Zoeb Shaikh, Advocate for the Petitioner.

Ms. G. P. Mulekar, APP for the Respondent-State.

Mr. Balasaheb Kopnar, ACP, Dehuroad Division and
Mr. Naid A. Shaikh, Police Sub Inspector (IO) present.

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

DATE: 9th SEPTEMBER 2025

P.C.:

In this writ petition, the petitioner who claims to be an entrepreneur with multiple business interests and running a restaurant named and styled as “Wine-and-Dine” at various places seeks deletion of his name from the array of accused persons in the FIR No. 11 of 2023 by quashing that portion of the said FIR.

2. After this writ petition was filed, a charge-sheet was laid in connection to the said First Information Report. According to the learned counsel for the petitioner, the Court concerned has taken cognizance of the offence and issued processes to the accused persons including the petitioner.

3. In view of the changed circumstances the learned counsel for the petitioner seeks permission to withdraw this writ petition so as to enable the petitioner to avail of the remedy in law, in particular, as provided under clause (h) of Rule 2(II) of Chapter I of the Bombay High Court Appellate Side Rules, 1960, which provides that all the

applications under section 482 of the Code of Criminal Procedure (now section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023) including the applications challenging an order for issuing process in a private complaint, except (i) applications seeking review, modification or setting aside of any order passed by a Division Bench and (ii) applications for quashing an FIR, CR, charge-sheet or order directing the investigation under section 156(3) of the Code of Criminal Procedure irrespective of whether such applications have been filed under section 482 simpliciter or read with Article 226 and/or 227 of the Constitution, to be disposed of by the learned single Judge of this Court.

4. In view thereof, the learned counsel for the petitioner has made a submission seeking withdrawal of the writ petition which has been considered by this Court and allowed.

5. The petitioner shall be at liberty to avail of the remedy as available to him in law including filing of a fresh petition under section 482 of the Code of Criminal Procedure challenging the cognizance order.

6. Writ Petition No. 2056 of 2025 is disposed of with the aforesaid liberty to the petitioner.

JAYANT
VISHWANATH
SALUNKE

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JAYANT VISHWANATH
SALUNKE
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[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]