

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5947 OF 2025**

Mr. Vitthal Tukaram BhosalePetitioner
V/s
State of Maharashtra and Anr. Respondents.

Ms. Nisha Gaikwad with Ms. Gauri Kale, advocates for the petitioner.

Mr. J.P. Yagnik, Addl.PP for the respondent no.1-State.

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

DATE : 19th NOVEMBER 2025.

P.C. :

The petitioner prays for the following reliefs:-

“[A] That this Hon’ble Court in the light of facts and circumstances mentioned hereinabove be pleased to quash and set aside the F.I.R. bearing C.R. No.0211/2017 with Saswad Police Station, Pune-Rural under section 406, 409, 468, 471, and thereof be pleased to quash and set aside the same, on the ground that the Respondent No.2 being Original Complainant have lodged a false and fake complaint against the present Petitioner herein, by exercising the inherent powers and more particularly under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, to meet the ends of justice:

(A-1) That Regular Criminal Case No.152/2019 may also be quashed.

(B) During pendency of the above referred Writ Petition, be pleased to grant stay to the proceedings of Regular Criminal Case No.152 of 2019 pending before the learned J.M.F.C. court, at Saswad Court, Taluka Purandar, Pune-Rural;

(C) Ad-interim and interim relief in terms of prayer clause [B] above;

[D] Any other relief deem fit may please be granted in favour of the present Petitioners herein;”

2. Mr. J.P. Yagnik, 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, the learned counsel for the petitioner seeks permission to withdraw the writ petition with liberty to file fresh petition/application, if so advised.

4. Writ Petition No.5947 of 2025 is dismissed as withdrawn with the aforesaid liberty. All contentions are kept open.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

BHARAT
DASHARATH
PANDIT

Digitally signed
by BHARAT
DASHARATH
PANDIT
Date: 2025.11.27
11:40:11 +0530