IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 323 OF 2025
WITH
CRIMINAL APPLICATION NO. 274 OF 2025
WITH
CRIMINAL APPLICATION NO. 273 OF 2025
WITH
CRIMINAL APPLICATION NO.272 OF 2025
WITH
CRIMINAL APPLICATION NO. 276 OF 2025

Sunil Rane .. Petitioner
Versus
State of Maharashtra & Anr. .. Respondents

WITH
CRIMINAL APPLICATION NO. 421 OF 2025
WITH
CRIMINAL APPLICATION NO. 422 OF 2025

Gopal Chinnaya Shetty .. Petitioner
Versus
State of Maharashtra & Anr. .. Respondents

WITH
CRIMINAL APPLICATION NO. 424 OF 2025

Manisha Chaudhary .. Petitioner
Versus
State of Maharashtra & Anr. .. Respondents

...

Mr. Rahul Tiwari, Advocate for the Applicants in all the matters.
Ms. M. M. Deshmukh, I/c Public Prosecutor a/w Mr. J. P. Yagnik, APP for Respondent No.1-State in all the matters.

...

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

DATE : 9th OCTOBER 2025.

P.C. :

The scheme under the Government Resolution dated 20th September 2022 reads as under :-

> *"6. The following procedure should be followed for cases in which a charge sheet has been filed for violation of prohibitory orders during the Corona period:-*
> *I. .....*
> *II. .....*
> *III. As per the directions given by the Hon'ble Supreme Court in Writ Petition (Civil) No. 699/2016 (Ashwini Kumar Upadhyay vs. Union of India & Ors.), cases in which sitting and former Members of Parliament (Mps) and Members of Legislative Assembly (MLAs) are involved, cannot be withdrawn without the consent of the Hon'ble High Court."*

2. The Hon'ble Supreme Court in "*Ashwini Kumar Upadhyay v. Union of India & Anr.*" (2021) 20 SCC 599 observed as under: -

> "8. In view of the law laid down by this Court, we deem it appropriate to direct that no prosecution against a sitting or former MP/MLA shall be withdrawn without the leave of the High Court in the respective suo motu writ petitions registered in pursuance of our order dated 16-9-2020. The High Courts are requested to examine the withdrawals, whether pending or disposed of since 16-9-2020, in light of guidelines laid down by this Court.

3. Mr. Rahul Tiwari, the learned counsel for the applicants seeks permission to withdraw these applications with liberty to approach the appropriate Committee.

4. Criminal Application Nos.323 of 2025, 274 of 2025, 273 of 2025, 272 of 2025, 276 of 2025, 421 of 2025, 422 of 2025 and 424 of 2025 are dismissed as withdrawn with liberty to approach the appropriate Committee.

JAYANT VISHWANATH SALUNKE

Digitally signed by JAYANT VISHWANATH SALUNKE
Date: 2025.11.03 11:42:48 +0530

[GAUTAM A. ANKHAD, J.] **[CHIEF JUSTICE]**