

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

CRIMINAL APPLICATION NO.1153 OF 2025

Shoeb Shamsheer Khan	...Applicant
Versus	
State of Maharashtra and Ors.	...Respondents

Mr. Himanshu Dasendi for the Applicant

Ms. P. P. Shinde, Addl.PP for the Respondent No.1-State.

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.***

DATE : 27th NOVEMBER 2025

P.C. :

1. At the outset, learned Additional Public Prosecutor pointed out that the applicant has already preferred a discharge application under Section 239 of the Code of Criminal Procedure (Cr.P.C.) before the learned Metropolitan Magistrate, 22nd Court, Andheri, Mumbai. She submits that the said discharge application preferred by the applicant was rejected by the said Court vide order dated 6th September 2000. The said order is at Exhibit – 'E', page 68

of the application. She further submits that since the applicant has already availed of the remedy by filing a discharge application, it is not open for the applicant to file the aforesaid application under Section 482 of the Cr.P.C, seeking quashing of the proceeding arising out of C.R. No.629 of 1999 registered with the Sahar Police Station, Mumbai.

2. In view of the submissions advanced by the learned Public Prosecutor, learned counsel for the applicant does not press this application and seeks leave to withdraw the same. He however prays that the trial be expedited, since the case is of the year 2000.

3. If any application is filed for separation of the trial, the same to be decided, as expeditiously as possible, and in any event within 4 weeks from the date of receipt of this order.

4. Application is accordingly disposed of as withdrawn on the above terms. However, since the case is of the year 2000, the trial of the applicant is expedited.

All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.