



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION NO.28 OF 2024

XYZ

Vs.

State of Maharashtra, Thru. PS Ballarpur, Chandrapur and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. P.S. Dhenge, Advocate for applicant.
Mr. H.D. Marathe, APP for non-applicant No.1/State.
Mr. A.A. Dhawas, Advocate for non-applicant Nos.2 & 3.

CORAM : RAJNISH R. VYAS, J.

DATE : 10.10.2025

Learned counsel for applicant seeks permission to withdraw the present application with liberty to file appropriate application before the appropriate Court.

2. Mr. Dhawas, learned counsel appearing for original accused, strongly opposes the said request on the ground that he has also preferred an application under Section 340 of the Code of Criminal Procedure. He further requests that the said issue may also be kept open to be raised at appropriate stage.

3. In that view of the matter, the request made by both the learned counsels is allowed.

4. The applicant is permitted to withdraw the present application and be treated as disposed of.

5. The non-applicant/accused is at liberty to file application under Section 340 of the Code of Criminal Procedure before the trial Court, if so instructed.

(Rajnish R. Vyas, J.)