



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

CRIMINAL WRIT PETITION NO.412 OF 2014

Khimji Harji Patel

.. Petitioner

..Versus..

Union of India and others

.. Respondents

.....

Mr. M.P. Khajanchi, Advocate for Petitioner.

Ms. Mugdha Chandurkar, Advocate for Respondent No.1.

Mr. S.N. Bhattad, Advocate for Respondent Nos.2 to 4.

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**CORAM : ALOK ARADHE, CJ. AND
AVINASH G. GHAROTE, J.**

DATE : 26th FEBRUARY, 2025.

P.C.

1. In this writ petition, the petitioner *inter alia* has prayed for quashment of impugned arrest memo dated 24th April, 2014 issued by respondent no.3–Deputy Commissioner, Customs, Central Excise and Service Tax Division, Chandrapur as well as the proceedings of Crime No.CND/1/ST/2014 registered by respondent no.4- Superintendent, Customs, Central Excise and Service Tax Division, Chandrapur. The petitioner also has prayed for direction to the respondents to pay a sum of ₹ 5 Crores by way of compensation to the petitioner.

2. We have heard the learned counsel for the parties at length.
3. Learned counsel for the petitioner submits that the petitioner has been released on bail in terms of order dated 23.5.2014 passed by this Court in Criminal Application (BA) No.366/2014. It is further submitted that after the petitioner has been released on bail, neither any charge-sheet has been filed against him nor any proceeding has been initiated against him. Therefore, learned counsel for the petitioner submits that as such the relief claimed in the petition with regard to quashment of arrest memo dated 24th April, 2014 and proceedings of Crime No.CND/1/ST/2014 does not survive for consideration.
4. Learned counsel for the petitioner submits that he be permitted to withdraw the writ petition insofar as his claim with regard to compensation to the tune of ₹ 5 Crores is concerned and be granted the liberty to take recourse to such remedy as may be available to him in law.
5. In view of aforesaid submission, the writ petition is disposed of in terms of liberty, as prayed for.

(AVINASH G. GHAROTE, J.)

(CHIEF JUSTICE)