

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3170 OF 2024

Kunal Anuj s/o. Jitendra Kumar Jha. ... Petitioner.

V/s.

Union of India & Anr. ... Respondents.

Mr. Sumit Khanna i/b. Dewani Associates, Advocate for Petitioner.
Mr. Tanveer Khan, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 23rd JANUARY, 2026.

P.C. :

1. By the present Petition, the Petitioner has sought for the following relief :

“(a) Quash and set aside First Information Report bearing Crime No. RC.12(A)/2019-MUM as well as the Charge-sheet filed in respect thereof vide Special Case No. 567/2023, which is pending before Hon'ble Special Judge, CBI, Greater Mumbai and all the Consequent Actions in Pursuance thereto, as far they are pertaining to the Petitioner herein;”

2. This matter was circulated by Advocate Mr. Sumit Khanna for the reasons mentioned in the praecipe dated 23rd January, 2026, same

is taken on record and marked “X” for identification. Mr. Sumit Khanna, learned Advocate for the Petitioner submits that during the pendency of this Petition, the Petitioner has applied for discharge before the Trial Court. He submits that the Trial Court has rejected the request for discharge vide order dated 13th October, 2025. He on instructions from the Petitioner craves leave to withdraw the present Petition and to file appropriate proceedings as may be available in law against the order dated 13th October, 2025 passed by the Sessions Court on the application seeking discharge. He submits that the proceedings which the Petitioner intends to file is Criminal Revision Application under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He submits that period of limitation to file revision application is 90 days, which has expired during the pendency of this Writ Petition and therefore, requests that the Application for condonation of delay that the Petitioner would be filing alongwith the proposed Criminal Revision Application be considered liberally.

3. Mr. Tanveer Khan, learned APP for the State does not object to the request of the Petitioner and submits that as the Petitioner was pursuing his remedies before this Court by this Petition, the request for condonation of delay can be considered liberally.

4. In view of the above, leave granted to the Petitioner to

withdraw the Petition with liberty to pursue remedies available in law against the order dated 13th October, 2025 passed by the Sessions Court in Case No. 567 of 2023.

5. Petitioner pursuing his remedy by way of this Petition would be a factor that would be considered while deciding any application for condonation of delay if filed by the Petitioner alongwith the proposed proceeding to be filed challenging the order dated 13.10.2025.

6. Writ Petition No. 3170 of 2024 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)