

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 5592 OF 2024

Mihir Jitendra Desai.

... Petitioner.

V/s.

State of Maharashtra & Anr.

... Respondents.

Mr. Pradyumna D. Sharma a/w. Ms. Bhavika S. Hodar, Mr. Vinod A. Gupta, Advocate for Petitioner.

Mr. Tanveer Khan, APP for Respondent/State.

PSI Mahendra Bavave, Mahim Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th JANUARY, 2026.

P.C. :

1. By the present Petition under Article 226 of the Constitution of India and 523 of Bharatiya Nagarik Surksha Sanhita, 2023, Petitioner has sought for the following substantive relief:

“b) to issue a writ of certiorari or any other writ order or direction in the nature of certiorari, thereby to quash and set aside FIR No.447/2021 lodged with Mahim Police Station for the offences punishable under Section 406, 409, 420, 34 and 120B of Indian Penal Code, 1860 to the extent of the Petitioner;”

2. Mr. Pradyumna Sharma, learned Advocate for the

Petitioner on instructions from the Petitioner craves leave to withdraw the present Petition with liberty to file an application seeking discharge before the Trial Court at the appropriate stage.

3. Mr. Tanveer Khan, learned APP for the State does not object to the request made by Mr. Pradyumna Sharma, learned Advocate for the Petitioner.

4. In view of the above, leave granted to withdraw the Petition with the liberty as prayed.

5. In the event any such application is filed before the Trial Court, the same be considered on its own merits and in accordance with law.

6. Writ Petition No. 5592 of 2024 is disposed of with the liberty as above.

(ASHWIN D. BHOBE, J.)