

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.6453 OF 2025

Aamir Suhail Dhamaskar

... Petitioner

V/s.

State Of Maharashtra And Anr.

... Respondents

Mr. Taraq Syed a/w Mrs. Tasleem Shaikh, Advocate for the Petitioner.

Mr. Malahar Kadam, Advocate for Respondent No.2.

Mrs. Rajeshree Newton, APP for Respondents-State.

PSI. H. D. Borade, Naupada Police Station, Thane, is present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 1st April 2026

P.C.:

1. This Petition is preferred by the Petitioner to quash the impugned FIR and the chargeheet arising from it, on the basis of consent from the Respondent No.2 (complainant).

2. Mrs. Rajeshree Newton, learned APP for the State, submits that the request made in this Petition is to quash the FIR against one Accused and not against all the accused. She relying on the decision of this Court in the case of *Sunita Pankaj Shah Vs. State of Maharashtra*¹ opposes this Petition. She submits that the issue pertaining to part quashing of criminal proceeding by consent is pending before the Hon'ble Supreme Court.

1 2024 SCC OnLine Bom 1749

3. Faced with the said objection Mr. Taraq Syed, learned Advocate for the Petitioner, on instructions from the Petitioner, craves leave to withdraw the present Petition.
4. Mr. Taraq Syed, submits that it is on account of the technical objection raised by Mrs. Rajeshree Newton, learned APP that this Petition is being withdrawn. He however, seeks leave to approach this Court by appropriate proceedings in the event of the decision on the issue by the Hon'ble Supreme Court or in the event the Respondent No.2 and all the Accused amicably resolve the subject matter of the impugned FIR and apply for quashing by consent.
5. Mrs. Rajeshree Newton, does not object to the said request made by Mr. Taraq Syed. In view of the above, leave granted to the Petitioner to withdraw the Petitioner with liberty as prayed.
6. All the contentions of the parties are kept open.
7. The Criminal Writ Petition No.6453 of 2025 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)