

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1255 OF 2025**

Uday Govind Prajapati And Ors	... Applicants
<i>Versus</i>	
State Of Maharashtra And Anr.	... Respondents

Mr. Sagar Joshi, for the Applicants.

Mr. Nilesh Navale, for the Respondent No. 2

Mrs. Rajeshree Newton, APP for the Respondent – State.

API Bakale, P. B., Khadakpada Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th April, 2026.

P.C. :

1. This proceeding is recorded in accordance with the decision of this Court in Hema Suresh Ahuja & Ors v. State of Maharashtra & Anr¹ as the subject matter pertains to an offence under the SC/ST Act.

2. By the present Application, the Applicants have sought for the following substantive relief in terms of prayer clause (a) :-

a. Call for record and proceedings in Special Case No. 334/SS/20205 pending before the learned Session court at Kalyan and after examining the legality and validity thereof F.I.R. No. 571 of 2024 registered with Khadakpada Police

¹ (2024) SCC OnLine Bom 784

Station, Kalyan (Exh "A") to the petition, Chargesheet No. I – 112/2025 (Exh "E") to the petition and proceeding in Special Case No. 334/SS/20205 be quashed and set aside.

3. After having heard the matter for some time, Mr. Sagar Joshi, learned Advocate for the Applicants sought a passover. At his request, the matter was taken up after some time.

4. Mr. Sagar Joshi, learned Advocate for the Applicants, on instructions from the Applicants, craves leave to withdraw the present Application with liberty to file an Application seeking discharge before the Trial Court at the appropriate stage. The Request made by Mr. Sagar Joshi, is not objected to by Mrs. Rajeshree Newton, learned APP for the Respondent – State or Mr. Nilesh Navale, learned Advocate for the Respondent No. 2.

5. In view of the statement made by Mr. Sagar Joshi, learned Advocate for the Applicant and the no objection by Mrs. Rajeshree Newton, learned APP and Mr. Nilesh Navale learned Advocate for the Respondent No. 2, leave is granted to withdraw the present Application with liberty as prayed.

6. If an Application seeking discharge is filed by the Applicants before the Trial Court at the appropriate stage, same be considered on its own merits and in accordance with law.

7. Criminal Application No. 1255 of 2025 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)

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