

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1728 OF 2026**

Ramesh Gulab Alhat

... Petitioner

Versus

State Of Maharashtra And Ors.

... Respondents

Mr. Abdul Kader Millwala, for the Petitioner.

Mrs. Poonam Bhosale, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 15th April, 2026.

P.C. :

1. By the present Petition, the Petitioner has sought for the following substantive relief in terms of prayer clause (a):-

a. Call for the records and proceedings of Miscellaneous Application No. 323/2025 from the file of Special Judge under Sc and ST (POA) Act Sessions Court at Pune and after examining the legality, validity, propriety and correctness of the Order dated 05.12.2025 passed by the Hon'ble Sessions Court in the said case the same be set aside and quashed and the Hon'ble Court be pleased to direct the concerned Police Station to register the FIR on the Application of the Petitioner.

2. Mr. Abdul Kader Millwala, learned Advocate for the Petitioner states that the order dated 05.12.2025 impugned in the present Petition is an order passed by the Additional Sessions Judge, Pune dismissing the Criminal Miscellaneous Application No. 323 of 2025 i.e. the Application filed by the Applicant under Section 175(3) of BNSS. He submits that by the order dated 05.12.2025, the request for registering the FIR against the Respondent is rejected by the Additional Sessions Judge, Pune.

3. Ms. Poonam Bhosale, learned APP for the Respondent – State, objects to the maintainability of the present Petition on the ground that the order dated 05.12.2025 would be a revisable order.

4. After having heard the matter for sometime, Mr. Abdul Kader Millwala, learned Advocate for the Petitioner, on instructions from the Petitioner, craves leave to withdraw the present Petition to take recourse to appropriate remedies as available under the provisions of BNSS, 2023.

5. Mrs. Poonam Bhosale, learned APP for the Respondent –

State, does not object to the request made by Mr. Abdul Kader Millwala.

6. In view of the statement made by Mr. Abdul Kader Millwala, learned Advocate and the no objection by Mrs. Poonam Bhosale, learned APP, leave is granted to withdraw the present Petition with liberty as prayed.

7. Writ Petition No. 1728 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)

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