

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1778 OF 2026**

Diya Harishchandra Patil

... Petitioner

Versus

State Of Maharashtra

... Respondent

Mr. Vikas Shivarkar, for the Petitioner.

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

CORAM : ASHWIN D. BHOBE, J.

DATE : 16th April, 2026.

P.C. :

1. By the present Petition, the Petitioner has sought for the following reliefs in terms of prayer clause (a), (b) and (c):-

a. This Hon'ble Court be pleased to call the record and proceedigns of R.C.C. No. 1116 of 2025 pending before Ld. JMFC, Kalyan and FIR vide C.R. No. I-742 of 2025 registered at Manpada Police Station, Thane.

b. After going through the records and proceedings this Hon'ble Court be pleased to quash and set aside the proceedings vide R.C.C. NO. 1116 of 2025 pending before Ld. JMFC, Kalyan and FIR vide C.R. No. I-742 of 2025 registered at Manpada Police Station, Thane.

c. After going through the records and proceedings, this Hon'ble Court be pleased to

quash and set aside the order dated 16.10.2025 passed by Ld. JMFC, Court No. 3, Kalyan in proceedings vide R.C.C. NO. 1116 of 2025 pending before Ld. JMFC, Kalyan.

2. After having heard the matter for some time, Mr. Vikas Shivarkar, learned Advocate for the Petitioner sought a passover. At his request, the matter was taken up after some time.

3. Mr. Vikas Shivarkar, 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. This request made by Mr. Vikas Shivarkar, is not objected to by Mrs. Rajeshree Newton, learned APP for the Respondent – State.

4. In view of the statement made by Mr. Vikas Shivarkar, learned Advocate for the Petitioner and the no objection by Mrs. Rajeshree Newton, learned APP, leave is granted to withdraw the present Petition with liberty as prayed.

5. If an Application seeking discharge is filed by the Applicant

before the Trial Court at the appropriate stage, same be considered on its own merits and in accordance with law.

6. Writ Petition No. 1778 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)

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