

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 172 OF 2026

Sudhir @ Rahul Dattatray Handore. ... Applicant.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mr. Vipul Dushing a/w. Mr. Ashish Saxena, Advocate for Applicant.
Mr. Sukanta Karmakar, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 6th FEBRUARY, 2026.

P.C. :

1. Mr. Vipul Dushing, learned Advocate for the Applicant states that this Application was filed on 28th January, 2026. He states that subsequent to the filing of this Application, the Applicant has filed an application before the Trial Court under section 207 of Cr.P.C. He states that arguments in the said application before the Trial Court commenced on 31st January, 2026 and the same is part heard. He submits he was not aware of the that said subsequent event, as a result of which the same was not brought to the notice of this Court at the time of hearing in

this Application on 04.02.2026. In view of the said subsequent event (i.e. filling of the application under section 207 of Cr.PC.) Mr. Vipul Dushing on instructions from the Applicant craves leave to withdraw this Application with liberty to raise and agitate all contentions before the Trial Court in the pending application filed under section 207 of Cr.PC.

2. Mr. S Karmakar, learned APP though objects to the merits of this Application before this Court, however does not object to the request made by Mr. Vipul Dushing for withdrawal of this Application and proceedings with the Application under section 207 Cr. P.C.

3. In view of the above, leave granted to withdraw this Application with liberty as prayed. Applicant is at liberty to raise all contentions as permissible in law before the Trial Court while pursuing his application under Section 207 of Cr.PC.. Said Application be considered on its own merits and in accordance with law.

4. Criminal Application No. 172 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)