

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 403 OF 2026

Gulam Husen Asgarali

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Tuushar Sonawane, learned Advocate for the Applicant.

Mr. Sukanta A. Karmakar, learned A.P.P. for the State/Respondent.

PI Mr. Ranvir Bayes attached to Manor Police Station is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 6th MARCH 2026.

P.C. :

1. Heard Mr. Tuushar Sonawane, learned Advocate for the Applicant and Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent.

2. By the present Criminal Application, the Applicant has sought for the following substantive relief in terms of prayer clause 9(b) :-

“b) By way of suitable writ, order or direction, be pleased to quash & set aside the FIR in a case bearing Crime No. 23/2026 registered u/s. 109 and 324(4) of Bhartiya Nyaya Sanhita, 2023 registered with Manor Police Station, Dist. Palghar on 07-02-2026, qua the applicant annexed at Exh.A to the present petition.”

3. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent on instructions from the Investigating Officer states that as on date the Applicant is not named as an accused as such the Applicant has no *locus-standi* to maintain the present Criminal Application. He however submits that the investigation in Crime No. 23 of 2026 is in progress.

4. In view of the statement made by Mr. Sukanta Karmakar, learned A.P.P., Mr. Tuushar Sonawane, learned Advocate for the Applicant craves leave to withdraw the present Criminal Application with liberty to file appropriate proceedings in the event the Applicant is arraigned as an accused in Crime No. 23 of 2026.

5. In view of the above, leave granted to withdraw the present Criminal Application with liberty as prayed by Mr. Tuushar Sonawane.

6. Criminal Application No. 403 of 2026 is disposed of as withdrawn.

[ASHWIN D. BHOBE, J.]

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