

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

CRIMINAL APPLICATION NO.1063 OF 2026

Abdul Wahid Richard Fernandes : Applicant
Versus.
The State of Maharashtra and anr. : Respondents.

Mr. Karim Pathan a/w Advocate Shane Illahi Turkey for the Applicant.

Mr Amit Palkar, APP for the Respondent/State

CORAM : ASHWIN D. BHOBE, J.

DATED : 15 JUNE 2026

PC:-

1. Heard Mr Karim Pathan, learned Advocate for the Applicant and Mr. Amit Palkar, learned APP for the Respondent/State.

2. By the present Application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks the following substantive reliefs :-

(a) The Hon'ble Court by passing appropriate direction, be pleased to quash the criminal proceedings/FIR initiated against the present Applicant vide C.r. No.856 of 2025 registered at Park Site Police station for offence u/s 223 of BNS. And u/s 10 of Maharashtra Police Act, 1951.

(b) That the concerned Parksite police Station may be directed to not to file chargesheet during the pendency of the present Petition."

3. After hearing the matter for some time, Mr. Karim Pathan, learned Advocate for the Applicant, sought a passover to take instructions from the Applicant. After some time, at his request, this Application was taken up.

4. Mr. Karim Pathan, on instructions from the Applicant, seeks leave to withdraw the present Application, with liberty to file appropriate proceedings in the event the chargesheet is filed and cognizance of the same is taken by the Court. This request made by Mr. Karim Pathan, is not opposed by Mr. Amit Palkar, learned APP for the Respondent/State.

5. In view of the statement made by Mr. Karim Pathan, learned Advocate for the Applicant, leave is granted to withdraw the present Application, with liberty to file appropriate proceedings in the event the chargesheet is filed and cognizance of the chargesheet is taken by the Court.

6. Criminal Application No.1063 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)