



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5691 OF 2021

Shweta Tiwari

.....Petitioner

Versus

The State of Maharashtra
and another

.....Respondents

Mr. S. Purohit, Senior Advocate a/w. Chaval Patil, Sapna Sharma
i/b. K. Ashar Co. for the Petitioner.

Smt. M.H. Mhatre, APP for the Respondent No.1-State.

Mr. Abhinav Kohli, the Respondent No.2 present in-person.

CORAM : SARANG V. KOTWAL &
DR.NEELA GOKHALE, JJ.

DATE : 18th DECEMBER, 2024

P.C. :

1. This Petition was filed with a prayer for quashing of
C.R. No.3/2021 registered with BKC Police Station, Mumbai.
There is no dispute that the correct number is 'MECR No.3/2021.'
There were other interim and ad-interim prayers connected with
the main prayer.

2. Learned APP today produced a report dated
17.12.2024 in which it is mentioned that the investigating agency
after investigation has filed 'A-Summary Report' before the
Metropolitan Magistrate, 71st Court, Bandra, Mumbai (now

J.M.F.C., 71st Court, Bandra (East), Mumbai) vide No.533/A/2023. A copy of the said report is taken on record and marked 'X' for identification.

3. In view of this report, learned Senior Counsel for the Petitioner does not press this Petition and seeks permission to withdraw the Petition. The Respondent No.2, who appears in person, states that he is in the process of filing a Protest Petition challenging the 'A-Summary Report' filed before the learned Magistrate.

4. In view of this position, the Petition is allowed to be withdrawn. However, it is made clear that both the parties would be at liberty to take out appropriate legal proceedings in accordance with law if an order, adverse to either of the parties, is passed. It is also made clear that with disposal of this Petition all the interim and ad-interim orders passed in this Writ Petition merge with this final order and do not survive.

5. The Petition is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)