



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

73 APPLICATION FOR LEAVE TO APPEAL BY PVT. PARTY NO. 71 OF 2024

Shivaji Sambhajirao Bansode
VERSUS
Vilas Waman Veer And Another

AND
940 APPLICATION FOR LEAVE TO APPEAL BY PVT. PARTY NO. 72 OF 2024

Shivaji Sambhajirao Bansode
VERSUS
Vilas Waman Veer And Another

AND
941 APPLICATION FOR LEAVE TO APPEAL BY PVT. PARTY NO. 73 OF 2024

Shivaji Sambhajirao Bansode
VERSUS
Vilas Waman Veer And Another

AND
942 APPLICATION FOR LEAVE TO APPEAL BY PVT. PARTY NO. 74 OF 2024

Shivaji Sambhajirao Bansode
VERSUS
Vilas Waman Veer And Another

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Ms. M. S. Deshmukh h/f Mr. A. S. Deshmukh, Advocate for Appellant
Mr. S. B. Surse, Advocate for Respondents

CORAM : ABHAY S. WAGHWASE, J
DATE : DECEMBER 11, 2025

PC :

1. Learned counsel for the applicant points out that, the instant applications have been preferred seeking leave to file appeals against the order of acquittal from offence under Section 138 of the Negotiable Instruments Act. She prays that, now, in view of the decision of the Hon'ble

Supreme Court in *Celestium Financial v. Ganasekaran Etc.* [(2025) SCC OnLine SC 1320], she would contest the appeals before learned District and Sessions Court and hence urges that, the same be transferred to the District Court.

2. In view of the above, the following order is passed :

ORDER

- I. The present proceedings be transferred to the concerned District and Sessions Court. Learned Registrar (Judicial) of this Court to take further necessary action for transferring these matters to the concerned District and Sessions Court, immediately.
- II. The learned Trial Court to whom this matter will be assigned, after registering it, shall issue notice to the concerned parties, and thereafter, proceed further with the matters in accordance with law.
- III. The concerned Trial Court shall treat these matters as appeal under proviso to Section 372 of the Code of Criminal Procedure as per the observations of the Hon'ble Supreme Court in the case of *Celestium Financial* (supra).
- IV. Learned District and Sessions Judge to exclude the period spent in prosecuting instant leave applications before this Court while calculating the period of limitation.
- V. Applications stand disposed of.

(ABHAY S. WAGHWASE, J.)

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