



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

913 CRIMINAL WRIT PETITION NO. 793 OF 2025

DNYANESHWAR DINKAR BADVE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.Yashwant P. Jadhav, Advocate for the petitioner.
Mr.S.B. Jadhav, APP for the respondent-State.
Mr.P.D. Dadpe, Advocate for respondent No.2.

CORAM : KISHORE C. SANT, J.
DATE : 24.07.2025

PC :-

01. Heard learned Advocates for the parties. The learned Advocate for respondent No.2 at the outset raises objection to the maintainability of the petition before this Court. The complaint was lodged by the respondent. In the present case, the petitioner came to be acquitted by the Trial Court from the offence punishable under section 138 of the Negotiable Instruments Act. Against judgment of acquittal, the respondent filed appeal before the Sessions Court. The Sessions Court allowed the appeal and convicted the petitioner. The petitioner has thus approached before this Court. Learned Advocate for the respondent relied upon judgment in the case of **Celestium Financial Vs. A. Gnanasekaran Etc., reported in 2025 SCC OnLine SC 1320.**

02. In view of the above, learned Advocate for the petitioner seeks leave to withdraw this petition with liberty to file revision/appeal.

03. This criminal writ petition is disposed off with liberty as prayed for. Time spent in prosecuting this petition shall be considered for the purpose of condonation of delay, in case the revision/appeal is filed.

[KISHORE C. SANT, J.]