

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

APPLICATION FOR LEAVE TO APPEAL(PVT.) NO. 137 OF 2025

Prasad Prabhakar Desai ...Applicant
Versus
Nilesh Dharma Patekar and Anr. ...Respondents

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Mr. Venkatesh A. Shastry, for Applicant.
Mr. Nitin B. Patil, APP for the respondent-State.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 24th NOVEMBER 2025

P.C.

1. Heard learned counsel for Applicant and learned APP for the Respondent-State.
2. Learned counsel for Applicant on instructions seeks leave to withdraw this appeal with liberty to file appeal before the learned Sessions Court as per the view of the **Hon'ble Apex Court in the case Celestium Financial Vs. Ghanasekaran Etc¹.**
3. Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.
4. Application is dismissed and disposed of as withdrawn.
5. Learned Sessions Court shall consider the delay, if appeal is filed as application was pending before this Court.

(SHIVKUMAR DIGE, J.)

1 2005 SC 2099