

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL(PVT.) NO. 74 OF 2023

Shri Balaji Nagari Sahakari
Patsanstha Through Recovery Officer Clerk
Prakash Chintamani Mane ...Applicant

Versus

Rahul Madhukar Chikhale And Anr. ...Respondents

.....
Mr. Nikhil Pawar for Applicant.

Mr. N. B. Patil APP for the State

.....

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th OCTOBER, 2025

P.C.

1. Heard learned counsel for Applicant and learned APP for the Respondent No.2-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**.

1 2005 SC 2099

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 Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.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 Application is dismissed and disposed of as withdrawn.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.)