

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

APPLICATION FOR LEAVE TO APPEAL(PVT.) NO. 2115 OF 2023

Bhausahab Dattu Patil

...Applicant

Versus

Nijam Hussain @ Abbas Naikwadi and anr

...Respondents

Mr. Nikhil Pawar Advocate for the Applicant

Mr. S. S. Chaudhary, APP for the respondent-State

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th NOVEMBER, 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 of **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 Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.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 Application is dismissed and disposed off as withdrawn.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