

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
APPLICATION FOR LEAVE TO APPEAL(PVT.) NO. 94 OF 2024**

Dattatray Jaysingh Shinde ...Applicant
Versus
Sameer Tukaram Dhamal And Ors. ...Respondents

Mr. Kalpesh Patil i/b Adv Ms. Arundhati Saste, for Applicant.

Dr. A. A. Takalkar, APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th DECEMBER 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**.

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 Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.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 Application is dismissed and disposed of as withdrawn.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