

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.230 OF 2025
(LEAVE TO APPEAL)

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Date:
2025.12.23
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M/S. Hemkesh Earthmover

...Applicant

Versus

Pankaj Shankar Waghule & anr.

...Respondents

Mr. Vikrant Shinde, Advocate for the Applicant.

Mr. Anand Subhash Shalgaonkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 19th 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 Application 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 Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.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 Application is dismissed and disposed off as withdrawn.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