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

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

Laxman Rambhau Damse

...Applicant

Versus

Balasaheb Hanumant Malusre & Anr.

...Respondents

Ms. Kavita P. Shinde *for the Applicant.*

Ms. Ranjana D. Humane, *APP for the Respondent /State.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 2 DECEMBER 2025.**

P.C.:

1) The learned counsel appearing for the Applicant/Appellant, on instructions, seeks leave of the Court to withdraw the Application and the Appeal with liberty to file Appeal under the Proviso to Section 372 of the Criminal Procedure Code, 1973/Section 413 of Bharatiya Nagarik Suraksha Sanhita, 2023 before the Sessions Court in view of judgment of the Apex Court in ***Celestium Financial vs. A. Gnanasekaran Etc.*¹**.

¹ 2025 SCC OnLine SC 1320

- 2)** Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of.**
- 3)** If Appeal is filed before the Sessions Court within a period of eight weeks, the Appellant/Applicant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.
- 4)** Registry to return certified copy of the impugned orders to the Applicant.

(SANDEEP V. MARNE, J.)