

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
APPLICATION FOR LEAVE TO APPEAL (PVT.) NO. 1 OF 2024

Smt. Vanita Vijay Birmal

.....Applicant

: Versus :

Shri. Subhash Maruti Kudale

.....Respondent

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Mr. Ajinkya Patil, *for the Applicant.*

Mr. Hitendra Gandhi *ilby.* Mr. Hemant P. Ghadingaonkar, *for the Respondent.*

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CORAM : SANDEEP V. MARNE, J.

DATED : 17 SEPTEMBER 2025.

P.C :

1) In view of judgment of the Apex Court in *M/s. Celestium Financial Versus. A. Gnanasekaran<sup>1</sup>*, the learned counsel appearing for the Applicant, on instructions, seeks leave to withdraw the Application with liberty to file Appeal before the Sessions Court under Proviso to Section 372 of the Code of Criminal Procedure, 1973. Reserving the liberty so prayed for, the Application is permitted to be **withdrawn and disposed of.**

2) The Applicant would be at liberty to take recourse to the provisions of the Limitation Act, 1963 while computing the period of limitation in filing the Appeal before the Sessions Court.

[SANDEEP V. MARNE, J.]

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