

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 40 OF 2025
(FOR LEAVE TO FILE APPEAL)
WITH
CRIMINAL APPLICATION NO. 39 OF 2025
(FOR LEAVE TO FILE APPEAL)**

Rajendra Shivdarshan Shukla

}*Applicant*

: Versus :

Pandurang Methavale and another

}....*Respondents*

Mr. Sanjiv A. Sawant with Ms. Samiksha S. Mane i/b Mr. Samir Suryawanshi, for the Applicant.

Mr. Vinit A. Kulkarni, APP for Respondent-State.

CORAM : SANDEEP V. MARNE, J.

DATED : 16 SEPTEMBER 2025.

P.C. :

1) Criminal Application (St.) No. 39 of 2025 is not on Board.
Upon mentioning, the same is taken on Board.

2) 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 Bhartiya Nagrik Suraksha Sanhita, 2023 before the Sessions Court in view of judgment of the Apex Court in *Celestium Financial Versus. A. Gnanasekaran Etc.*¹.

¹ 2025 SCC OnLine SC 1320

3) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.

4) If Appeal is filed before the Sessions Court within a period of four weeks, the Appellant/Applicant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.

[SANDEEP V. MARNE, J.]

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