

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLN. FOR LEAVE TO FILE APPEAL (PVT.) NO. 98 OF 2025

Bholaram Kumawat

.....*Applicant*

: *Versus* :

Dinesh D. Pathare & Ors.

....*Respondents*

Mr. Devesh Sawant, *for the Applicant.*

CORAM : SANDEEP V. MARNE, J.

DATED : 28 NOVEMBER 2025.

P.C :

1) Mr. Sawant, 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.

2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.

1 2025 SCC OnLine SC 1320

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 shall return the original certified copy of the impugned order to the Applicant.

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[SANDEEP V. MARNE, J.]