

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLN. FOR LEAVE TO FILE APPEAL (PVT.) NO. 241 OF 2025

Ramesh Lalchand Jain, Prop.

Of Popular Cycle Co.

.....*Applicant*

: *Versus* :

Yogesh B. Dube, Proprietor

of Laxmi Cycle Stores and anr.

....*Respondents*

Mr. Manish R. Bohra with Mr. Akshay Pansare, *for the Applicant.*

Mr. Vinit A. Kulkarni, *APP for State.*

CORAM : SANDEEP V. MARNE, J.

DATED : 20 NOVEMBER 2025.

P.C :

1) Mr.Bohra, 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

2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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

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SHAILESH
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NEETA SHAILESH
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Date: 2025.11.20
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[SANDEEP V. MARNE, J.]