

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

APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.58 OF 2024

Jayprakash Parahladrai Sangneria

....Applicant

V/S

Khalida Abdul Aziz & Anr.

....Respondents

Mr. Anand R. Kanndoi *for the Applicant.*

Ms. Ranjana D. Humane, APP *for Respondent No.2/State.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 19 NOVEMBER 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.

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 Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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. It would be open to the Applicant to make a request to the Sessions Court for expediting the decision of the Appeal filed before the Sessions Court considering that the Complaint took 14 years and 10 months for decision before the Magistrate's Court.

(SANDEEP V. MARNE, J.)

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