IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL (PVT) NO.139 OF 2024

MS ONCOLAB through Partner
Ameya Sutrave ...Applicant

V/s.

The State of Maharashtra and Anr. ...Respondents

Ms. Dakshata Sawant *with Mr. Siddhant Raul, Ms. Nikita Chavan i/b. Mr. Saurabh Ghag for the Applicant.*

Mr. Kiran Shinde, *APP for Respondent -State.*

CORAM: SANDEEP V. MARNE, J.
DATED: 4 DECEMBER 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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.

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[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 certified copy of the impugned order to the Applicant.

[SANDEEP V. MARNE, J.]

Signed by: Megha S. Parab
Designation: PA To Honourable Judge
Date: 05/12/2025 13:17:18