IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLN. FOR LEAVE TO FILE APPEAL (PVT.) NO. 176 OF 2024

Mr. Babubhai Animesh Thiba *.....Appellant*

: Versus :

The State of Maharashtra & Anr. *....Respondents*

Mr. Prashant S. Goyal, *for the Appellant.*

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

CORAM : SANDEEP V. MARNE, J.

DATED : 17 SEPTEMBER 2025

P.C :

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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of.**

3) 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.]

Note : Correction is carried out in the cause-title only pursuant to speaking to minutes order dated 7 October 2025. The rest of the order remains undisturbed.

NEETA SHAILESH SAWANT
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