

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

APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.178 OF 2025

Ajay Rameshwar Agarwal (HUF)Applicant

V/S

Ramesh Radhakishan Agrawal & Ors.Respondents

**WITH
APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.179 OF 2025**

Ajay Rameshwar Agarwal (HUF)Applicant

V/S

Ramesh Radhakishan Agrawal & Ors.Respondents

Ms. Saaniya Arfan Sait i/b Ms. Nikita S. Mandaniyan *for the Applicant.*
Mr. Vinit A. Kulkarni, *APP for Respondent No.3/State.*

CORAM : SANDEEP V. MARNE, J.
DATE : 15 OCTOBER 2025.

P.C.:

1. The learned counsel appearing for the Applicant submits that Application for Leave to Appeal (Pvt) No.179 of 2025 also arise between the same parties. At her request, ALP No.179 of 2025 is taken on board.

2. The learned counsel appearing for the Applicant/Appellant, on instructions, seeks leave of the Court to withdraw the Applications and the Appeals with liberty to file Appeals 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.

¹ 2025 SCC OnLine SC 1320

3. Reserving the liberty as prayed for, the Applications and Appeals are permitted to be **withdrawn and disposed of**.
4. If Appeals are 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.)

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