

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

APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.223 OF 2024

Ashok Ghevarchand Sakariya @ Jain
V/S

....Applicant

Harsh Ashok Sakaria @ Jain

....Respondent

Ms. Savita Suryawanshi *for the Applicant/Appellant.*

Mr. Sagar G. Talekar, *for Respondent No.1.*

Ms. Rashmi S. Tendulkar, **APP** for Respondent/State.

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

P.C.:

1. The learned counsel appearing for the Applicant/Appellant, on instructions, seeks leave of this Court to withdraw the Application with liberty to file an Appeal under proviso to Section 372 of the Code of Criminal Procedure, 1973 before the Court of Sessions in view of the judgment of the Apex Court in ***Celestium Financial vs. A. Gnanaekaran Etc.*** 2025 SCC OnLine SC 1320.

2. Reserving the liberty so prayed for the Application is permitted to be withdrawn and disposed of. If Appeal is filed before the Sessions Court within a period of four weeks from today, the Appellant shall be entitled to seek benefit of provisions of Section 14 of the Limitation Act.

3. Interim arrangement directed vide order dated 4 September 2025 shall continue to operate for a period of four weeks.