



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL (PVT) NO.234 OF 2024

M/s. Samarth Petrochem Pvt. Ltd.

...*Applicant*

V/s.

M/s. S.R. Kale Construction

...*Respondent*

Mr. Ritesh P. Yadav *for the Applicant.*

Mr. Balraj B. Kulkarni, *APP for Respondent-State.*

CORAM: SANDEEP V. MARNE, J.

DATED: 22 SEPTEMBER 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 Bhartiya Nagrik Suraksha Sanhita, 2023 before the Sessions Court in view of judgment of the Apex Court in *Celestium Financial Versus. A. Gnanasekaran Etc.*<sup>1</sup>
- 2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be withdrawn and disposed of.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.]

<sup>1</sup> 2025 SCC OnLine SC 1320