



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4617 OF 2024
IN
APPLICATION FOR LEAVE TO APPEAL (PVT) NO.107 OF 2025

M/s. Sohanlal Kamalnayan

...Applicant

V/s.

The State of Maharashtra and Anr.

...Respondents

Mr. Ashok Mishra with *Ms Kinjal Mehta i/b. M/s. Solicis Lex* for the Applicant.

Mr. Vinit Kulkarni, *APP for Respondent -State.*

CORAM: SANDEEP V. MARNE, J.

DATED: 26 NOVEMBER 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.*¹.

¹ 2025 SCC OnLine SC 1320

- 2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be withdrawn and disposed of.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 eight weeks, the Appellant/Applicant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.
- 4) Registry shall return the original certified copy of the impugned order to the Applicant.

[SANDEEP V. MARNE, J.]