

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

**INTERIM APPLICATION NO.5213 OF 2024
IN
APPLICATION FOR LEAVE TO APPEAL (PVT.) (STAMP)
NO.25926 OF 2024**

Mahesh Bansidhar Agrawal	Applicant
IN THE MATTER BETWEEN	
Mahesh Bansidhar Agrawal	Applicant
V/S	
New Empire Textile Processors Pvt. Ltd. & Ors.	Respondents

**WITH
APPLICATION FOR LEAVE TO APPEAL (PVT.) (STAMP)
NO.25926 OF 2024**

Mahesh Bansidhar Agrawal	Appellant
V/S	
New Empire Textile Processors Pvt. Ltd. & Ors.	Respondents

Mr. R.R. Varma a/w Mr. Yogesh Cherra *for the Applicant.*
Mr. V.A. Kulkarni, APP *for Respondent No.4/State.*

CORAM : SANDEEP V. MARNE, J.
DATE : 17 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 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

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 Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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.

(SANDEEP V. MARNE, J.)