

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI. APPLICATION FOR LEAVE TO APPEAL NO. 45 OF 2025

Ajay Janardhan Suryavanshi

.....*Applicant*

: *Versus* :

Shantanu Rupaji Deshmukh and Ors.

....*Respondents*

Ms. Priya S. Gondhalekar, *for the Applicant.*

CORAM : SANDEEP V. MARNE, J.

DATED : 22 SEPTEMBER 2025.

P.C :

1) Ms. Gondhalekar, 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.

2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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

1 2025 SCC OnLINE SC 1320

14 of the Limitation Act, 1963. It would be open for the Applicants/Complainant to apply before the Sessions Judge for expeditious hearing of the Appeal considering the age of the Complainant, who is now 69 years old.

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[SANDEEP V. MARNE, J.]