

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

CRIMINAL APPLICATION NO. 54 OF 2025

Mohd. Allauddin s/o. Moharatali }*Applicant*

: Versus :

Mohd. Salim Shaikh @ Gajai

S/o. Haddish @ Munshi and another }....*Respondents*

Mr. Ramprasad V. Gupta, *for the Applicant.*

Mr. Balraj B. Kulkarni, *APP for Respondent No. 2-State.*

CORAM : SANDEEP V. MARNE, J.

DATED : 16 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.*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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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 14 of the Limitation Act, 1963.

**NEETA
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[SANDEEP V. MARNE, J.]