

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLN. FOR LEAVE TO FILE APPEAL (PVT.) NO. 55 OF 2025

Shri. Suresh Parshuram Naik

.....*Applicant*

: *Versus* :

1. Sagar Sadanand Mhatre and anr.

....*Respondents*

Mr. Kapil Shetye i/b. Mr. Nikhil Gole, *for the Applicant.*

Ms. Ranjana D. Humane, *APP for State.*

CORAM : SANDEEP V. MARNE, J.

DATED : 25 NOVEMBER 2025.

P.C :

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- 2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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