

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLN. FOR LEAVE TO FILE APPEAL (PVT.) NO. 70 OF 2025

Yogesh Shivnath Mishra

.....Applicant

: Versus :

Vijay Avadh Sharma & Anr.

....Respondents

Mr. Abhinav A. Bhatkar, for the Applicant

Mr. Balraj B. Kulkarni, APP for State.

CORAM : SANDEEP V. MARNE, J.

DATED : 9 OCTOBER 2025.

P.C :

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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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

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[SANDEEP V. MARNE, J.]