

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

APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.113 OF 2025

New Star Furnishing and FurnitureApplicant
V/S

State of Maharashtra & Anr.Respondents

Mr. Sarthak S. Diwan *for the Applicant.*

Mr. Vinit A. Kulkarni, APP *for Respondent No.1/State.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 27 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.

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 Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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 to return certified copy of the impugned orders to the Applicants.

(SANDEEP V. MARNE, J.)