

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL (PVT) NO.162 OF 2025

Mr. Shivshankar S. Tiwari

... Applicant/Appellant

V/s.

The State of Maharashtra & Anr.

...Respondents

Mr. Hrishikesh Nabar i/b Adv. Chavan for the Applicant/Appellant.

Mr. Vinit A. Kulkarni, A.P.P. for Respondent No.1-State.

CORAM : SANDEEP V. MARNE, J.

DATE : 13 OCTOBER 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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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.

(SANDEEP V. MARNE, J.)

1 2025 SCC OnLine SC 1320