



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL (PVT) NO.173 OF 2025

Ritesh Shah

...*Applicant*

V/s.

State of Maharashtra

...*Respondent*

Mr. Onkar Shinde *for the Applicant.*

Ms. Rashmi S. Tendulkar, *APP for Respondent -State.*

CORAM: SANDEEP V. MARNE, J.

DATED: 10 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- 2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be withdrawn and disposed of.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