

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

APPLICATION FOR LEAVE TO APPEAL (PVT.) NO.190 OF 2025

Nikhil Kumar SinghApplicant

V/S

Swati Avinash Bramhe & Anr.Respondents

Ms. Swati A. Pawde *for the Applicant.*

Mr. Vinit A. Kulkarni, APP *for Respondent No.2/State.*

CORAM : SANDEEP V. MARNE, J.

DATE : 29 SEPTEMBER 2025.

P.C.:

1. The learned counsel appearing for the Appellant/Applicant, 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 Code of Criminal Procedure, 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.* 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 Reserving the liberty as prayed for, the Application and Appeal are permitted to be withdrawn and disposed of.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 four weeks, the Applicant/Appellant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.