

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

APPLICATION FOR LEAVE TO FILE APPEAL NO. 201 OF 2025

S V R Brothers Throguh Shri.
Rajendra Eknath Bhagat

.....Applicant

: Versus :

Mahalaxmi Agency Through its
Proprietor Subhash Murlidhar
Nagare

....Respondent

Mr. Shubhankar A. Avhad, *for the Applicant.*

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

CORAM : SANDEEP V. MARNE, J.

DATED : 3 OCTOBER 2025.

P.C. :

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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of.**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

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