



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL (PVT) (STAMP)
NO.12515 OF 2025

WITH

INTERIM APPLICATION NO.2317 OF 2025

IN

APPLICATION FOR LEAVE TO APPEAL (PVT) (STAMP)
NO.12515 OF 2025

Dipan Vasantkumar Yagnik

...Applicant

V/s.

Ankit Deepak Jain and Anr.

...Respondents

Mr. Nimesh Mehta (*through VC*) for the Applicant.

Mr. Vinit Kulkarni, *APP for Respondent -State.*

CORAM: SANDEEP V. MARNE, J.

DATED: 26 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 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.

¹ 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- 2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be withdrawn and disposed of.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 eight weeks, the Appellant/Applicant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.
- 4) Registry shall return the original certified copy of the impugned order to the Applicant.

[SANDEEP V. MARNE, J.]