

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3322 OF 2025****IN****APPLICATION FOR LEAVE TO APPEAL (PVT) STAMP NO. 17267 OF 2025**

Madhav Raghodas Lohar

...Applicant

V/s.

The State of Maharashtra

...Respondent

Ms. Dipali M. Sorte *i/b Ms. Rashmi Bhandarkar for the Applicant.*
Mr. Shailesh S. Ghag, *App for Respondent-State.*

CORAM: SANDEEP V. MARNE, J.**DATED: 6 April 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- 2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be withdrawn and disposed of.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.]