

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLN. FOR LEAVE TO APPEAL (PVT.) NO. 2 OF 2026

Nilesh Ramesh alias Rameshchand
Dhadiwal

.....APPLICANT

: VERSUS :

Nazir Mehmudmiya Shaikh

....RESPONDENT

Mr. Suraj Dubey *I.b. Mr. Balwant V. Salunkhe*, for the Applicant.

Mr.A.R. Metkari, *APP for State*.

CORAM : SANDEEP V. MARNE, J.

DATED : 10 FEBRUARY 2026.

P.C :

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2) Reserving the liberty as prayed for, the Application and Appeal are permitted to be **withdrawn and disposed of**.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

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