

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

**INTERIM APPLICATION NO. 1360 OF 2026
IN
APPLICATION FOR LEAVE TO APPEAL (PVT.) NO. 500 OF 2018**

Malan Kiran More

... Applicant.

Vs.

Mr. Vilson Moti Swami

... Respondent.

Mr. Rajesh More a/w Krutik Kamble for Applicant.

Mr. Tanveer G. Khan, APP for the Respondent - State.

CORAM : M. M. SATHAYE, J.

DATED : 23rd APRIL 2026

P.C.:

1. Heard learned counsel for the Applicant.
2. Applicant is complainant who had filed an Application for leave to Appeal in this Court challenging an order of Acquittal in respect of an offence punishable under Section 138 of the Negotiable Instruments Act.
3. On 13.01.2026, in view of the law laid down by the Hon'ble Supreme Court in the case of **Celestium Financial Services Pvt. Ltd. v. A. Ganasekaran, reported in - 2025 SCC OnLine SC 1320**, a motion was made to withdraw the Application with liberty to file appeal under proviso to Section 372 of the Code of Criminal Procedure, 1973 (CRPC). By Order dated 13.01.2026, reserving the liberty as prayed for, the Application was permitted to be withdrawn, however, it was provided that if the Applicant prefers an appeal 'within a period of 8 weeks', same may be expeditiously decided.

4. Inviting the attention of the Court to the averments made on oath in paragraph No. 3 of the present Application, it is submitted that due to the difficulties faced by Applicant, his lawyer and his clerk, necessary certified copies could be obtained only on 10.03.2026 which was the last day of 8 weeks' time granted.
5. Request is therefore made to grant necessary extension of time.
6. Considering the averments in the Application and the fact that certified copies are already received, the Applicant is permitted to file the appeal before the concerned Sessions Court within a period of four weeks from today. This extension shall be considered in continuation of Order dated 13.01.2026.
7. Application is disposed of in above terms.

(M. M. SATHAYE, J.)