



rrpillai

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 68 OF 2020
WITH
CRIMINAL APPLICATION NO. 69 OF 2020**

Kumar Devendra Vora

....Applicant

vs.

M/s. The Blossom and Others

... Respondents

Mr. Kumar Devendra Vora present in person.

Ms. Shilpa G. Talhar, APP for the Respondent-State.

CORAM : GAURI GODSE, J.

DATED : 20th JANUARY 2026

ORDER:

1. These applications are filed by the original complainant under Section 378(4) of the Criminal Procedure Code, seeking leave to file appeals. The applicant is the complainant in the complaint filed under Section 138 of The Negotiable Instruments Act, 1881. By the impugned order respondent nos. 1 and 2 are acquitted.

2. Learned counsel for the applicant submits that in view of the recent decision of the Hon'ble Apex Court in the case of

Digitally signed
by
RAJESHWARI
RAMESH
PILLAI
Date:
2026.01.22
14:32:30 +0530

M/s. Celestium Financial Versus. A. Gnanasekaran¹, the applicant would be entitled to file appeals under Section 372 of Code of Criminal Procedure. He therefore seeks leave to withdraw these applications with liberty to file appeals under Section 372 of Cr.P.C. in the Sessions Court. Learned counsel for the applicant submits that the applicant be granted benefit of the period of pendency of these applications for seeking condonation of delay.

3. In view of the legal principles settled in the decision of the Hon'ble Apex Court, the applicant is granted leave to withdraw these applications with liberty to file appeals under Section 372 of Cr.P.C. before the Sessions Court.

4. These applications are filed on 20th February 2020. Hence, it is clarified that if appeals under Section 372 of Cr.P.C. is filed within eight weeks from today, the applicant shall be entitled to seek benefit of the period of pendency of these applications for seeking condonation of delay in filing the appeals before the Sessions Court.

5. Learned advocate for the applicant is permitted to take

1 2025 SCC OnLine SC 1320

back certified copy of the impugned order for filing the appeals in the Sessions Courts, on submitting a photocopy of the impugned order. Registry shall verify the photocopy and return the certified copy to the learned advocate for the applicant.

6. The Applications are disposed of as withdrawn subject to the aforesaid liberty.

(GAURI GODSE, J.)