

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRI-INTERIM APPLICATION NO. 5359 OF 2024
IN
CRIMINAL APPLICATION LEAVE TO APPEAL ST NO. 26173 OF 2024

Om Shriram Tradears Through Proprietor
Suraj Balwant Patil ...Applicant

Versus

Jeevan Aanand Traders Through
Proprietor Ajay Dilip Shinde ...Respondent

Ms. Siddheshwari R. Chavan i/b Mr. Mandar Bagkar for the applicant
Ms. P. S. Rane APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd DECEMBER, 2025.

P.C.

CRI-INTERIM APPLICATION NO. 5359 OF 2024:

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1. Heard learned counsel for the applicant. By this application, the applicant is seeking condonation of delay of 133 days in filing the appeal.
2. Considering the submissions of the learned counsel for the applicant and the reasons mentioned in the application, the delay of 133 days is condoned. The application is allowed and disposed of.
3. The Appeal be registered.

CRIMINAL APPLICATION LEAVE TO APPEAL ST NO. 26173 OF 2024:

1. Heard learned counsel for Applicant and learned APP for the Respondent No.2-State.
2. Learned counsel for Applicant on instructions seeks leave to withdraw this appeal with liberty to file appeal before the learned Sessions Court as per the view of the **Hon'ble Apex Court in the case Celestium Financial Vs. Ghanasekaran Etc¹**.
3. Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.
4. Application is dismissed and disposed of as withdrawn.
5. Learned Sessions Court shall consider the delay, if appeal is filed as application was pending before this Court.

(SHIVKUMAR DIGE, J.)

1 2005 SC 2099