

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

INTERIM APPLICATION NO. 1477 OF 2025

IN

CRIMINAL APPEAL NO. 958 OF 2022

Abbi Chandrashekhar Shetty

.... Applicant

V/s.

Awadhesh Shalik Tiwari and anr.

.... Respondents

Mr. Deepak Pandey for the Applicant.

Mr. Ramprakash Pandey for Respondent No.1.

CORAM : SHYAM C. CHANDAK, J.

DATED : 25th APRIL, 2025

P.C. :-

. Heard learned Advocate for the parties.

2) Present Application seeking restoration of the aforesaid Appeal which came to be dismissed for 'non prosecution' *vide* Order dated 24/01/2025.

3) The Application is opposed by the learned Advocate for Respondent No.1.

4) Mr. Deepak Pandey, learned Advocate states that the Applicant has a very good case on merits. The subject dishonoured cheque was drawn for a sum of Rs.8,00,000/-. The Appeal was admitted. As such, it would be appropriate that the Appeal may be decided on merits.

5) In view thereof, I am inclined to allow the Application. The Order dated 24/01/2025 is set-aside. Appeal stands restored to the stage at which it was dismissed.

6) Interim Application stands disposed of.

ORDER IN CRIMINAL APPEAL NO. 958 OF 2022 :-

7) Learned Advocate for the parties stated that the compilation of documents filed on record, is as per the trial Court record and it is sufficient to decide the aforesaid Appeal. Therefore, they requested that the Appeal may be taken up for final hearing.

8) In view thereof, list the Appeal on **19th June, 2025** under the caption 'for final hearing'.

(SHYAM C. CHANDAK, J.)

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