



Tikam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1393 OF 2018

Nitin A. Soni

Versus

Chetan Chandrakant Shah and anr.

Mr. Rajender Singh Saluja, Advocate for Applicant.

Mr. K.T. Hiwrale, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th May, 2026.

P.C. :

1. Heard learned counsel for Appellant and learned APP for the Respondent No.2-State.

2. Learned counsel for Appellant 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 Etc.*¹

3. Considering the submission of learned counsel for Appellant, Appeal is allowed to be withdrawn with aforesaid liberty.

4. Appeal is dismissed and disposed of as withdrawn.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.

¹ (2005) SC 2099.



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6. Learned advocate for the applicant is permitted to take back certified copy of the impugned order for filing the appeal in the Sessions Court. 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.

(SHIVKUMAR DIGE, J.)