

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

**CRIMINAL APPLICATION (APPP) NO. 611 OF 2016
IN
CRIMINAL APPLICATION (APL) NO. 96 OF 2016**

Raghunath Jadhav & Anr.

... Applicants

V/s.

The State of Maharashtra & Anr.

... Respondents

...

Mr. A. R. Shaikh I/b. Harshad Eknathrao Palwe for the Applicants.

Ms. M. H. Mhatre, APP for the State.

CORAM : A. S. OKA & A. A. SAYED, JJ.

DATE : 30 AUGUST, 2016.

P.C. :

1. The learned APP on instructions states that, the statement of the learned APP recorded in the order dated 20th April 2016 was in respect of charge sheet filed in the cross complaint. She states that due to bona fide error it was stated that the charge sheet was filed in the FIR subject matter of Criminal Application No. 276 of 2010. She states on instructions that in respect of First Information Report subject matter of challenge in Criminal Application No. 276/2016, charge sheet was not filed as on 28th April 2016. She states that now the charge sheet has been filed.

2. As the Criminal Application was disposed of on the basis of an incorrect statement made across the bar, the same will have to be restored. Accordingly the order dated 28th April 2016 is hereby recalled. Criminal Application No. 276 of 2016 is restored to the file which shall be listed under the caption of “Fresh Admission” on 26th September 2016.

(A. A. SAYED, J.)

(A. S. OKA, J.)