

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO.860 OF 2016
IN
CRIMINAL APPLICATION NO.1294 OF 2014

Siddharth Ratilal Mehta. .. Applicant.
Vs
State of Maharashtra and Another. .. Respondent
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Shri Subir Kumar for the Applicants.
Ms. M.H. Mhatre, APP for the Respondent No.1.
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CORAM : A.S. OKA & A.A.SAYED, JJ
DATED : 17TH OCTOBER 2016

PC.

1. Heard the learned counsel appearing for the Applicants.
We accept the apology tendered by the applicants in paragraph 5 of the Application. In view of the apology tendered and in view of the averments made in Paragraphs 6 and 7 thereof, a case for restoration is made out.

2. Accordingly, we dispose of the Application by passing the following order.

ORDER :

- (a) Criminal Application No.1294 of 2014 is restored to the file subject to the condition of the Applicants

furnishing spare copy for effecting service of notice to the added Respondent in the said Application within a period of four weeks from today;

- (b) If spare copy is not furnished within the stipulated time, the order of dismissal shall stand;
- (c) If spare copy is furnished within the stipulated time, notice be issued to the added Respondent in terms of the order dated 23rd March 2016, returnable on 18th December 2016;
- (d) The ad-interim relief granted on 23rd March 2016 also stands restored;
- (e) It is obvious that the ad-interim relief will stand vacated if spare copy is not furnished within the stipulated time;
- (f) The Application is disposed of on above terms.