

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

CRIMINAL APPLICATION NO. 512 OF 2015

IN

WRIT PETITION NO. 1871 OF 2015

Kaluman Suleman Agawan.

..Applicants/ org.
Petitioners

Versus

The State of Maharashtra and ors.

..Respondents

Mr. Viral Rathod i/b. Mr. N. R. Sharma, advocate for the applicants.

Mr. K. V. Saste, APP for the State.

Ms. Bimala Chounal, advocate for respondent No.4.

**CORAM : RANJIT MORE &
A. K. MENON, JJ.**

DATE : 18th JANUARY, 2016.

P. C. :

Taken up on production board upon mentioning.

2. By an order dated 9th July, 2015, this Court had disposed of the petition by quashing and setting-aside the proceedings of criminal case No.769 of 2013 pending on the file of Additional Chief Metropolitan Magistrate, 2nd Court at Mazgaon, subject to payment of costs of Rs.5,000/- by the petitioners (Rs.2,500/- by each of the petitioners) within a period of two weeks from the date of passing of the order, failing which, the petition was to be dismissed automatically. The applicants

failed to deposit the costs within stipulated time and, therefore, the petition came to be dismissed.

3. The annexures at “Exhibit B(Colly)”, pages 11 and 12, shows that the applicants deposited the costs of Rs.2,500/- each on 10th August, 2015. However, there was some delay in depositing the same. The applicants have explained the delay by giving cogent reasons. We find the reasons to be satisfactory. We, therefore, allow the criminal application in terms of prayer clauses (A) and (A.1). The criminal application, accordingly, stands disposed of.

[A. K. MENON, J.]

[RANJIT MORE, J.]