

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 968 OF 2016
IN
CRIMINAL APPLICATION NO. 414 OF 2015

Mohteshim Ahmed Khan ..Applicant

v/s.

The State of Maharashtra & Anr. ..Respondents

with
CRIMINAL APPLICATION NO. 969 OF 2016
IN
CRIMINAL APPLICATION NO. 415 OF 2015

Ihaad Mohtesim Khan ..Applicant

v/s.

The State of Maharashtra & Anr. ..Respondents

Ms. Kavita Shah i/b. India Law Alliance for the Applicants
Ms. M.H.Mhatre, APP for the Respondent no.1.

CORAM : A.S.OKA & ANUJA PRABHUDESSAI, JJ.
DATED : 4TH JANUARY, 2017

P.C.

1. Heard the learned Counsel appearing for the applicants, and the learned APP for the first respondent. These are the applications filed by the applicants in the main criminal application for restoration

of criminal applications which were dismissed as against the fourth respondent. The learned APP states that the address of the fourth respondent in the main application (second respondent in this application) may not be correct.

2. In view of the assertions made in the applications, a case for restoration is made out. Accordingly, the applications are allowed in terms of prayer clauses (a) and (b). Notice of the main criminal applications be issued to the respondent no.2 herein (the respondent no.4 in the main applications), returnable on 12th February, 2017. Notice be forwarded for effecting service to the Officer-in-charge of Khar Police Station, Mumbai.

3. The Officer-in-charge of Khar Police Station, Mumbai shall ensure that the return is submitted to this Court before the next date. Ad-interim relief, if operative in the main applications, is extended till the returnable date.

4. The applications are accordingly disposed of.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)