

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPP) NO.977 OF 2016

IN

MISC. CRIMINAL APPLICATION (APPW) NO.106 OF 2016

IN

CRIMINAL WRIT PETITION NO.236 OF 2015 (D)

Raspal Singh s/o Harjeet Singh Marhas

..VS..

State of Maharashtra, through S.D.M. Saoner, Nagpur

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri R.S. Renu, Counsel for the applicant.
Shri C.A. Lokhande, Addll.P.P. for the State.

CORAM : P.N. DESHMUKH, J.

DATED : MARCH 2, 2017.

CRIMINAL APPLICATION (APPP) NO.977 OF 2016

Heard.

Issue notice to the non-applicant.

**Learned Additional Public Prosecutor
waives notice on behalf of non-applicant.**

**This criminal application is filed for
condonation of 298 days delay caused in filing criminal
application for restoration of Criminal Writ Petition
No.236 of 2015 which came to be dismissed in default
on 14.8.2015.**

**Learned counsel for the applicant contends
that during that period, since his mother was unwell, he
could not remain present and in that event criminal writ**

petition came to be dismissed.

Considering personal ground put forth as aforesaid, delay caused in filing criminal application for restoration of criminal writ petition is condoned on applicant's making payment of cost Rs.1,000/- with the High Court Legal Services Sub Committee, Nagpur.

Criminal application is disposed of accordingly.

CRIMINAL APPLICATION (APPW) NO.106 OF 2016

Learned counsel seeks leave to amend prayer clause (i) of the criminal application by substituting word "contempt petition" by word "criminal writ petition".

Leave to amend is allowed.

Amendment be carried out forthwith.

Heard.

Issue notice to the non-applicant.

Learned Additional Public Prosecutor waives notice on behalf of non-applicant.

This criminal application is filed for restoration of Criminal Writ Petition No.236 of 2015 which came to be dismissed in default by this Court on 14.8.2015 for non-removal of office objection within a period of two weeks. It appears that by conditional order passed on 14.8.2015 criminal writ petition came to be dismissed for non-removal of office objection within a period of two weeks.

For the grounds mentioned in paragraph No.3 of the criminal application, the same is allowed in the interest of justice.

Criminal Writ Petition No.236 of 2015 dismissed in default on 14.8.2015 is restored on the file of this Court.

Criminal application is disposed of accordingly.

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 3/3/2017