

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 134 OF 2018  
IN  
CRIMINAL APPLICATION NO.432 OF 2015**

|                                           |                      |
|-------------------------------------------|----------------------|
| <b>Mr. Issamuddin Shaikh</b>              | <b>..Applicant</b>   |
| <b>Vs.</b>                                |                      |
| <b>The State of Maharashtra &amp; Ors</b> | <b>..Respondents</b> |

**WITH  
CRIMINAL APPLICATION NO. 135 OF 2018  
IN  
CRIMINAL APPLICATION NO.432 OF 2015**

|                                           |                      |
|-------------------------------------------|----------------------|
| <b>Mr. Issamuddin Shaikh</b>              | <b>..Applicant</b>   |
| <b>Vs.</b>                                |                      |
| <b>The State of Maharashtra &amp; Ors</b> | <b>..Respondents</b> |

**Mr. V. G. Bagade for the Applicant**  
**Mr. Avinash Kamkhedkar Addl PP for the Respondent State**

**CORAM :R. M. SAVANT, &  
REVATI MOHITE DERE,JJ  
DATE : 12<sup>th</sup> JULY, 2018**

**P.C.**

1           The above Applications have been filed for condonation of delay and for restoration of the above Criminal Application No.432 of 2015 which has stood dismissed on account of the conditional order dated 11-4-2016. The Applicant seeks condonation of delay of 1 year 267 days in filing the above Applications. The reasons therefor are found in paragraphs 5 and 7 of the above Applications. The conditional order became operative in view of the fact that amendment was not carried out by the Applicant within the stipulated time mentioned in the said order.

2            Having regard to the fact that the Application has been dismissed on a technical ground as also having regard to the reasons mentioned in the Applications for the delay of 1 year and 367 days, we are of the view that the Applicant needs to be shown one final indulgence to prosecute the above Criminal Application No.432 of 2015 on merits. The above Criminal Applications No.134 of 2018 and 135 of 2018 are accordingly allowed, resultantly Criminal Application No.432 of 2015 stand restored to file. List the said Criminal Application No.432 of 2015 for admission on 26-7-2018.

3            The above Criminal Applications No.134 of 2018 and 135 of 2018 are accordingly disposed of.

**[REVATI MOHITE DERE, J]**

**[R.M.SAVANT, J]**