

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.370 OF 2018

IN

CRIMINAL APPLICATION (ALP) NO.66 OF 2018

Suresh Ananda Waghambare ... **Applicant**

V/s.

Vijay Bansilal Khirwadkar and anr. ... **Respondents**

Mr.Akshay S. Malviya i/b. Mr.Ravindra Bajirao Mungekar for the applicant.

Mr.A.D. Kamkhedkar, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 1st OCTOBER 2018.

P.C. :

1. This is an application for restoration of criminal application bearing no.66 of 2018.

2. Heard the learned Counsel appearing for the applicant. The learned Additional Public Prosecutor appears for the respondent/State.

3. No notice is required to be issued to respondent no.1 as the main application which is sought to be restored was dismissed for want of prosecution even without noticing respondent no.1.

4. For the reasons stated in the application which constituted sufficient cause for non appearance before the Court when the matter was called out, the application deserves to be allowed.

Therefore, the order;

:: ORDER ::

(i) The application is allowed.

(ii) The order dated 15th March, 2018 passed in Criminal Application No.66 of 2018 is recalled. The said application is restored to the file.

(iii) With this the order, the instant application stands disposed off.

Vina
Arvind
Khadpe

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signed by
Vina Arvind
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(A.M.BADAR J.)