

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.383 OF 2018

IN

CRIMINAL APPLICATION NO.158 OF 2014

(For leave to Appeal - Private)

Smt.Jaya Bhalchandra Hanji ... **Applicant**

V/s.

Shri.Vivek Bansi Gajhans & Anr. ... **Respondents**

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Mr.Naval Sharma, Advocate for the Applicant.

Mr.Pawan Mali, Appointed Advocate for the Respondent No.1.

Mrs.M.R.Tidke, APP for the Respondent No.2/State.

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CORAM : A.M.BADAR J.

DATED : 11th OCTOBER 2018.

P.C. :

1 This is an application for restoration of Criminal Application for leave to appeal bearing No.158 of 2014, which was dismissed for want of prosecution on 14th March 2018 by the co-ordinate Bench of this Court.

2 Heard the learned Counsel appearing for the

applicant/original complainant as well as the learned Counsel appearing for the respondent No.1/original accused.

3 The learned Additional Public Prosecutor appears for the respondent/State.

4 For the reasons stated in the instant application, I am of the opinion that the applicant was prevented by sufficient cause for not appearing before the Court on 14th March 2018. Therefore, the Order :

ORDER

(i) The application is allowed.

(ii) The Order dated 14th March 2018 rejecting Criminal Application bearing No.158 of 2014 is recalled and the said application is restored to the file.

(iii) The instant application is accordingly disposed of.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

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Gaikwad RD