

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.572 OF 2018

IN

CRIMINAL APPEAL NO.671 OF 2016

Chetan Manohar Gaikwad ... **Applicant**

V/s.

Suryakant Shivaji Jadhav & anr. ... **Respondents**

Ms.Amruta Devkar i/b. Mr.Vilas Kolekar for the applicant.

Mr.A.R. Kapadnis, APP for the respondent/State.

CORAM : A.M.BADAR J.

DATED : 11th JUNE 2018.

P.C. :

1. This is an application for restoration of Criminal Application No.671 of 2016 by which the applicant was seeking condonation of delay in filing application for leave to appeal.

2. It is not necessary to issue notice to respondent no.1/original accused as the application which is sought to be restored was dismissed for default even prior to noticing the respondents therein.

3. Heard the learned Advocate for the applicant as well as the learned Additional Public Prosecutor appearing for respondent no.2. For the reasons recorded in the instant application, the same is allowed. The order dated 28th March, 2018 dismissing the Criminal Application No.671 of 2016 is recalled and the said application is restored to the file.

4. The present application is, accordingly, disposed of.

(A.M.BADAR J.)