

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.448 OF 2016
IN
CRIMINAL APPLICATION NO.145 OF 2015**

Mr. Sudhakar Sharma

... Applicant

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. M.S. Singh for the Applicant.

Mr. A.D. Kamkhedkar, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 15th JANUARY 2018

P.C.:

1. This is an application for restoration of Criminal Application No.145/2015, which was dismissed for non-prosecution.
2. There is a delay of about three months in filing the present application.
3. Learned Counsel for the applicant submitted that, on 13.01.2016 he had been to his native place, and therefore, could not remain present personally and also could not contact his colleagues was inturn would have mentioned the matter.
4. For the reasons stated in the application, the delay is hereby

condoned and the Criminal Application No.145 of 2015 is restored to the file subject to the condition that the applicant shall pay a cost of Rs.2,000/- to the High Court Legal Aid Committee within two weeks from today.

5. Payment of cost shall be the condition precedent for restoration of application.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)