

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

**CRIMINAL APPLICATION No. 237 OF 2017  
(For Restoration)  
IN  
CRIMINAL APPLICATION No. 118 OF 2015  
(for leave to appeal)**

The State of Maharashtra

... Applicant  
(Original complainant)

Vs.

Babasaheb D. Koli & Anr.

... Respondents  
(Orig. Accused Nos. 1 & 2)

Mr. S. S. Pednekar, APP for the Applicant.

Mr. Prabhakar Jagdale, for the Respondent No. 1.

Mr. Adwait Bhande i/b Rohan Nahar, for Respondent No. 2.

**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATE : 06<sup>TH</sup> MARCH, 2019**

**P.C.:**

The applicant seeks leave to appeal was dismissed for want of prosecution on 17<sup>th</sup> February, 2017 since the APP entrusted with that matter for the day was not present when the matter was called out. Learned APP submits that in fact the application for seeking leave to appeal is filed by the State and there is no question of Vakalatnama to be filed by one particular APP. In view of this and for the reasons assigned in the application, the application seeking leave to appeal is hereby restored to its original state. Delay if any is condoned.

Sd/-  
(SMT. SADHANA S. JADHAV, J.)