

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

**INTERIM APPLICATION NO.3243 OF 2022
IN
CRIMINAL APPEAL NO.29 OF 2022**

Dyaneshwar @ Mauli B. Saatpute Applicant

versus

State of Maharashtra Respondent

.....

- Ms. Divyashree Shanbhag i/b. Jaydeep D. Mane, Advocate for Applicant.
- Mr. S. R. Agarkar, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 13th OCTOBER, 2022**

P.C. :

1. Not on board. Taken on board by praecipe filed by learned counsel for the Applicant.
2. Interim Application No.3243 of 2022 was filed with a prayer for restoration of Interim Application No.1003 of 2022. In the memo of the application, in the title as well as in the body of the memo, the number was mentioned as Interim Application No.1003 of 2022. However, what was dismissed was the Interim Application No.1003 of 2020 in Criminal Appeal No.29 of 2022.

Because of this typographical error in the memo of the Interim Application No.3243 of 2022, in order dated 29/09/2022 Interim Application No.1003 of 2022 was restored. However, that obviously was not the correct number. Therefore learned counsel for the Applicant is granted leave to amend to correct the number in the Interim Application in the title as well as in the body of the application. Amendment to be carried out forthwith. Consequently, the order dated 29/09/2022 be corrected and instead of Interim Application No.1003 of 2022, the Interim Application No.1003 of 2020 be mentioned wherever it has appeared in the said order.

3. The corrected order dated 29/09/2022 be uploaded.

(SARANG V. KOTWAL, J.)

CORRECTED ORDER DATED 29/09/2022 -

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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**INTERIM APPLICATION NO.3243 OF 2022
IN
INTERIM APPLICATION NO.1003 OF 2020
IN
CRIMINAL APPEAL NO.29 OF 2022**

Dyaneshwar @ Mauli B. Saatpute Applicant

versus

The State of Maharashtra Respondent

.....

Ms. Vilasini B. i/b. Mr. Jaydeep Mane, Advocate, for the Applicant.
Mr. Yogesh Y. Dabke, APP, for the Respondent – State.

CORAM : SARANG V. KOTWAL, J.

DATE : 29.09.2022

P. C.

This is an Application for restoration of the Interim Application No. 1003 of 2020. The said Application was filed during the pendency of the Cri. Appeal No. 29 of 2022. The Advocate who has argued this Appeal and the Bail Application was absent. Therefore, the Application was rejected. Now new Advocate in on record in the main Appeal. Learned counsel h/f. Mr. Mane, Advocate submitted that the Applicant was convicted for the offences punishable under Sections 498A and 306 of the Indian Penal Code and major punishment imposed on him was for five years. Out which he is in custody for three years and therefore,

in the interest of justice, the Application needs to be decided on merits.

2. Considering the submissions and in the interest of justice, the Interim Application No. 1003 of 2020 is restored. This Application is disposed of. Learned counsel for the Applicant to take circulation of I. A. No.1003 of 2020.

(SARANG V. KOTWAL, J.)