



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [APPP] NO. 1082/2023
IN CRIMINAL APPLICATION [APPW] NO.119/2023
IN CRIMINAL WRIT PETITION NO.701/2021.

1.Sachin Bharatlal Harinkhede
and another. ... Applicants.

-Versus-

1.State of Maharashtra
and another. ... Non-applicants.

.....
Shri V. Mishra, Advocate for Applicants.
Shri S.M. Ghodeswar, A.P.P. for Non-applicant No.1.
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CORAM : NITIN W. SAMBRE AND
VALMIKI SA MENEZES, JJ.

DATE : SEPTEMBER 11, 2023.

P.C.

Since in the main proceedings the non-applicant/ Complainant was not served, we dispense with notice to non-applicant no.2.

2. For the reasons disclosed in the application, we hereby condone the delay of 578 days caused in filing restoration application, subject to payment of costs of Rs.3000/-, to be paid to the High Court

Bar Association Library, Nagpur.

3. Criminal Application stands allowed.

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Criminal Application [APPW] No.119/2023.

Shri Mishra, learned Counsel for the applicants undertakes to remove office objections within a period of three weeks from today. Statement accepted. If the office objections are not removed within a period of three weeks from today, the Criminal Application shall stand dismissed without further reference to the Court.

2. If the office objections are removed within the stipulated period, Criminal Application shall stand allowed and Criminal Writ Petition be restored to file.

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Criminal Writ Petition No.771/2021.

If the office objections are removed within a period of three weeks as undertaken, issue notice to the respondents. Learned A.P.P. waives notice for respondent no.1. Notice to respondent No.2 is made returnable within a period of 6 weeks thereafter. Notice be served through respondent no.2.

(VALMIKI SA MENEZES, J.)

(NITIN W. SAMBRE, J.)