

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

**INTERIM APPLICATION NO.2844 OF 2024
IN
INTERIM APPLICATION NO. 1236 OF 2023**

Sitaram Janaba Chalake .. Applicant

Versus

The State of Maharashtra .. Respondent

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Mr. Manish Mazgaonkar a/w Mr. Ankit R. Upadhyay, for the Applicant.

Ms S. S. Kaushik, APP, for the Respondent – State.

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**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 19th AUGUST, 2024**

P.C:-

1. Heard the learned counsel for the Applicant and perused the Interim Application, which seek restoration of Interim Application No. 1236 of 2023 filed in Criminal Appeal No. 766 of 2023.

2. By order dated 12.02.2024, the Interim Application for bail was dismissed for non-prosecution by recording that, perhaps the Applicant is not interested in pursuing the Application since on earlier occasions there was no appearance.

Considering the fact that the Applicant is an accused, who is in judicial custody and it was a reason personally

attributed to the counsel who did not mark his presence on the said date, being satisfied with the bonafides of the cause shown, the order dated 12.02.2024 is set aside.

As a result, the Interim Application No. 1236 of 2023 is restored to its file.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)