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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 296 OF 2024

IN

CRIMINAL APPLICATION NO. 180 OF 2021

Pruthviraj s/o. Namdev Patil and others ... Applicants

Versus

The State of Maharashtra and another ... Respondents

.....

Mr. Mahesh Bhosale for the Applicants.

Ms. Rutuja Ambekar, APP for the State.

.....

**CORAM : PRAKASH D. NAIK &
N.R. BORKAR, JJ.**

DATED : 13th FEBRUARY 2024

P.C. :-

. This is an application for restoration of Criminal Application No.180 of 2021 which has been dismissed for want of prosecution in view of the conditional order dated 19th August 2022.

2. Notice was issued to Respondent No.2, returnable on 6th October 2022 and in addition, the Applicants were also permitted to serve private notice through R.P.A.D. Since the spare copies were not supplied, the Court notice could not be issued to Respondent No.2. The Applicants were directed to supply spare copies in the Registry within the

stipulated period with the condition that in the event the spare copies are not supplied, the application would stand dismissed without further reference to the Court. Since the conditional order dated 12th June 2023 was not complied, Criminal Application No.180 of 2021 was dismissed for want of prosecution. For the reason stated in the Application and in the interest of justice, Criminal Application No.180 of 2021 is required to be restored.

ORDER

- (i) Interim Application No.296 of 2024 is allowed.
- (ii) Criminal Application No.180 of 2021 is restored to file.
- (iii) The Applicants shall supply spare copies of the Criminal Application in the Registry within a period of one week from today.
- (iv) On receipt of the spare copies, notice be issued to Respondent No.2, returnable on 14th March 2024.
- (v) Interim Application stands disposed off.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)