

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.4792 OF 2023
IN
INTERIM APPLICATION NO.3556 OF 2023
IN
CRIMINAL WRIT PETITION NO.2003 OF 2023

Shubham Kalicharan Ojha ...Applicants

In the matter between
Shubham Kalicharan Ojha and
Ors. ...Petitioners

Versus

The State of Maharashtra and
Anr. ...Respondents

....

Mr. Manoj S. Singh with Ms Anjali Tripathi with Mr. Shivendra Shah
i/b. M/s. MKS Legal and Associates for the Applicants/Petitioners.
Mr. A.P. Singh for the First Informant.
Ms Rutuja Ambekar, APP for Respondent No.1-State

CORAM: SMT. ANUJA PRABHUDESSAI &
N.R. BORKAR, JJ.

DATED: 16th JANUARY, 2024.

P.C.:-

INTERIM APPLICATION NO.4792 OF 2023:-

1. Writ Petition No.2003 of 2023 is filed by the Applicants
herein for quashing the FIR No.42 of 2019 registered with Naya
Nagar Police Station for the offences punishable under Sections

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354A, 498A, 323, 504, 376, 406 and 324 r/w 34 of the IPC, which was dismissed for non-prosecution on 22/06/2023. The interim application No.3556 of 2023 for restoration of the said petition was also dismissed for non-prosecution on 05/10/2023.

2. By the present application, the Applicants have sought to recall the order dated 05/10/2023 in the Interim Application No.3556 of 2023 and thus sought restoration of the said interim application, which was dismissed for non-prosecution.

3. Learned counsel for the Petitioner and Respondent No.2 state that the parties have settled the matrimonial dispute. In the light of the said statement and in view of the reasons stated in the application, order dated 05/10/2023 in Interim application No.3556 of 2023 is recalled. The Interim Application No.3556 of 2023 is restored.

4. Interim Application No.4792 of 2023 stands disposed of.

INTERIM APPLICATION NO.3556 OF 2023:-

5. Not on board. Upon being mentioned, taken on board.

6. In view of the order passed in Interim Application No.4792 of 2023, this application is restored.

7. For the reasons stated in the application, order dated 22/06/2023 passed in Writ Petition No.2003 of 2023 is recalled. The writ petition is restored to its file.

8. The Interim Application No.3556 of 2023 stands disposed of.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)