

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

**INTERIM APPLICATION NO. 1594 OF 2024
IN
WRIT PETITION NO. 4438 OF 2012**

Fahmida K. Farooqui and Ors. .. Applicants

Versus

The State of Maharashtra and Anr. .. Respondents

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Mr. Mubeen Solkar i/b Ms Tahera Qureshi, for the Applicants.

Dr. Ashvini A. Takalkar, APP, for the State.

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**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATED : 12th JULY, 2024

P.C:-

1. By way of this Interim Application, the applicants have prayed to recall the order dated 07.09.2023 passed by this Court (Coram: A. S. Gadkari & Sharmila U. Deshmukh, JJ.) in Criminal Writ Petition No. 4438 of 2012.

2. According to the learned counsel for the applicants, the Criminal Writ Petition has been filed for quashing of the FIR at MECR No. 10/2012, registered with Oshiwara Police Station, on 25.04.2012, under Sections 420, 463, 465, 467 r/w 34 of the Indian Penal Code. The said Writ Petition has been dismissed for non-prosecution by this Court on 07.09.2023. The learned counsel for the applicants has given explanation for non-

appearance of the Advocate on record on the said date in para 5 of the Application. According to him, it was a bonafide mistake and not at all deliberate or willful. Therefore, he has prayed for restoration of the Writ Petition.

We are satisfied about the reasons for non-appearance of the Advocate on record on the given date. Therefore, the order dated 07.09.2023 passed by this Court is recalled and Writ Petition No. 4438 of 2012 is restored to its file.

As a result, this Interim Application is disposed off.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)